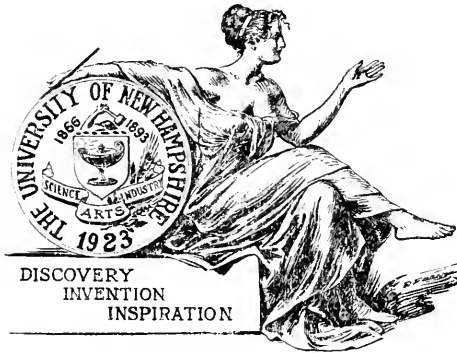




*Dr. Johnson*



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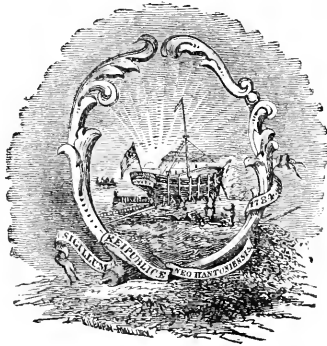


L A W S

OF THE

STATE OF NEW HAMPSHIRE

PASSED JUNE SESSION, 1873.



CONCORD:

EDWARD A. JENKS, STATE PRINTER.

1873.





N 345.12  
N 53  
1873

## STATE OFFICERS.

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EZEKIEL A. STRAW, *Governor.*  
BENJAMIN F. PRESCOTT, *Secretary of State.*  
AI B. THOMPSON, *Deputy Secretary of State.*  
SOLON A. CARTER, *Treasurer.*  
EDWARD A. JENKS, *State Printer.*  
DAVID A. WARDE, *President of the Senate.*  
LUTHER S. MORRILL, *Clerk of the Senate.*  
JAMES W. EMERY, *Speaker of the House.*  
SAMUEL C. CLARK, *Clerk of the House.*  
JOHN M. HAINES, *Adjutant General.*  
JOHN C. PILSBURY, *Warden of State Prison.*  
JOHN W. SIMONDS, *Superintendent of Public Instruction.*  
OLIVER PILLSBURY, *Insurance Commissioner.*  
NATHANIEL BOUTON, *State Historian.*  
WILLIAM H. KIMBALL, *State Librarian.*

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## SUPREME JUDICIAL COURT.

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JONATHAN EVERETT SARGENT, *Chief Justice.*  
CHARLES DOE,  
JEREMIAH SMITH,  
WILLIAM LAWRENCE FOSTER,  
WILLIAM SPENCER LADD,  
ELLERY ALBEE HIBBARD,  
LEWIS WHITEHOUSE CLARK, *Attorney General.*  
JOHN MAJOR SHIRLEY, *State Reporter.*

} *Associate Justices.*

30109



# L A W S

OF THE

## STATE OF NEW HAMPSHIRE,

PASSED JUNE SESSION, 1873.

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### CHAPTER I.

AN ACT TO AMEND SECTION FIFTEEN, CHAPTER ONE HUNDRED TWENTY-EIGHT OF THE GENERAL STATUTES, IN RELATION TO FENCES AND COMMON FIELDS.

SECTION

1. Fees of fence-viewers.

SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

SECTION 1. That section fifteen of chapter one hundred twenty-eight of the General Statutes be amended by striking out the words "one dollar" in the first line of said section, and inserting in lieu thereof the words "two dollars."

Fees of fence-viewers.

SECT. 2. This act shall take effect upon its passage.

Act takes effect on its passage.

[Approved June 20, 1873.]

## CHAPTER II.

AN ACT TO AMEND SECTION FIVE OF CHAPTER FORTY-NINE OF THE GENERAL STATUTES IN RELATION TO PERSONS AND PROPERTY LIABLE TO TAXATION.

SECTION	SECTION
1. Money deposited in savings banks out of state, liable to taxation.	2. Repealing clause.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Money deposited in savings banks out of the state, liable to taxation.

SECTION 1. Section five of chapter forty-nine of the General Statutes is hereby amended by inserting in the fourteenth line thereof, after the word "bank" and before the word "or," the words "within this state."

Repealing clause.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

[Approved June 20, 1873.]

## CHAPTER III.

AN ACT TO AMEND SECTION ONE OF CHAPTER TWO HUNDRED AND FIFTY-ONE OF THE GENERAL STATUTES IN RELATION TO OFFENCES AGAINST GAME-LAWS.

SECTION	SECTION
1. Killing deer—time changed—penalty increased.	2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Killing deer—time changed—penalty increased.

SECTION 1. That section one of chapter two hundred fifty-one of the General Statutes be, and the same is hereby, amended as follows: strike out the word "February" in the second line of said section, and insert the word "January" in lieu thereof; also, strike out the word "ten" in the fourth line of said section, and insert the word "twenty-five" in lieu thereof, and add at the end of said section the words "for each deer so killed or destroyed."

Act takes effect on its passage.

SECT. 2. This act shall take effect on and after its passage.  
[Approved June 20, 1873.]

## CHAPTER IV.

AN ACT IN AMENDMENT OF SECTION TWO OF CHAPTER ONE HUNDRED AND SIXTY-NINE OF THE GENERAL STATUTES IN RELATION TO THE ADOPTION OF CHILDREN.

## SECTION

1. Consent of one parent sufficient—when.

## SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That section two of chapter one hundred and sixty-nine of the General Statutes be amended by inserting after the word “sufficient” the following words: “and in case of abandonment on the part of either parent, for the term of three years, the consent of the remaining parent shall be sufficient.”

Consent of one parent sufficient—when.

SECT. 2. This act shall take effect from and after its passage.  
[Approved June 20, 1873.]

Act takes effect on its passage.

## CHAPTER V.

AN ACT TO PROVIDE FOR ADDITIONAL TERMS OF THE PROBATE COURT FOR THE COUNTY OF MERRIMACK.

## SECTION

1. Terms of probate court—times and place of holding.

## SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That in addition to the terms of the probate court for the county of Merrimack now required by law to be held, there shall be held four terms, annually, in the town of Franklin, that is to say, on the second Tuesday of February, May, August, and November, of each year.

Terms held—when, where.

SECT. 2. This act shall take effect upon its passage.  
[Approved June 20, 1873.]

Act takes effect on its passage.

CHAPTER VI.

AN ACT IN ADDITION TO AND IN AMENDMENT OF SECTION ONE OF CHAPTER TWENTY-SIX OF THE PAMPHLET LAWS OF JUNE SESSION, ONE THOUSAND EIGHT HUNDRED AND SEVENTY-TWO, IN RELATION TO THE REIMBURSEMENT OF MUNICIPAL WAR EXPENSES.

SECTION

1. Recruits who received part bounty, entitled to remainder from reimbursement fund—when.

SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Recruits to receive reimbursement fund—when.

SECTION 1. That if any city, town, or place has received or shall receive the sum of one hundred dollars, or part thereof, either in money or bonds, on account of any person counted as part of the quota of such town, city, or place, who has received from said town, city, or place a less sum than one hundred dollars, then so much of said sum of money or bonds so received by said town, city, or place, as is necessary, together with the sum such person has already received from said town, city, or place, as will make up the sum or amount which said town, city, or place has or shall receive on account of such person, shall belong to and be the property of such person and his legal representatives, and may be received [recovered] in the manner provided by section one of the chapter to which this is an amendment.

Act takes effect on its passage.

SECT. 2. This act shall take effect on its passage.  
[Approved June 27, 1873.]

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CHAPTER VII.

AN ACT IN AMENDMENT OF SECTION SIXTEEN OF CHAPTER TWO HUNDRED AND FIVE OF THE GENERAL STATUTES IN RELATION TO ATTACHMENTS.

SECTION

1. Leaf tobacco attached by leaving copy, as in case of real estate.

SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Leaf tobacco, how attached.

SECTION 1. That section sixteen of chapter two hundred and five of the General Statutes be amended by inserting the words “leaf tobacco” after the word “potatoes” in the first line of said section.

Act takes effect on its passage.

SECT. 2. This act shall take effect from and after its passage.  
[Approved June 27, 1873.]

## CHAPTER VIII.

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT TO AUTHORIZE A LIMITED REIMBURSEMENT OF THE MUNICIPAL WAR EXPENDITURES," PASSED JUNE SESSION, A. D. 1870.

## SECTION

1. Reimbursement fund apportioned to towns,  
divided same as war debt.

## SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Whenever a portion of any town has been annexed to an adjoining town since the second day of July, one thousand eight hundred and sixty-two, the town so enlarged shall receive the same ratio of the reimbursement of the other town, with the accrued interest thereon, as it assumed of the war debt of said town by the act of annexation.

Reimbursement fund, how apportioned among towns divided.

SECT. 2. This act shall take effect from and after its passage.  
[Approved June 27, 1873.]

Act takes effect on its passage.

## CHAPTER IX.

AN ACT IN RELATION TO ASSIGNMENTS.

## SECTION

1. Assignment of wages not valid until copy  
filed with clerk of city or town.

## SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. No assignment of or order for wages to be earned in the future shall be valid against any creditor of the person making such assignment or order, until a copy of such order or assignment, duly accepted in writing on the back thereof, has been filed with the clerk of the town or city where the party making such order or assignment lives.

Assignment of wages to be filed with city or town-clerk.

SECT. 2. This act shall take effect upon its passage.  
[Approved June 27, 1873.]

Act takes effect on its passage.

CHAPTER X.

AN ACT IN RELATION TO THE POLICE COURT OF KEENE.

SECTION	SECTION
1. Jurisdiction of Keene police court extended.	4. Fees of justice.
2. Action transferred to supreme court—when.	5. Either party may appeal: time of appeal limited.
3. How transferred.	6. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Jurisdiction of Keene police court extended. SECTION 1. The police court of the town of Keene, in addition to the powers heretofore conferred upon it, shall have concurrent jurisdiction with the supreme judicial court, of actions at common law wherein the defendant resides in said Keene, and not more than one hundred dollars is claimed as damages.

Action transferred to supreme court—when. SECT. 2. In any action brought before said police court by virtue of this act, if the defendant, at any time before issue joined, shall file in said court his affidavit that it is his desire and intention to try said action by jury, such action shall be transferred to the next trial term of the supreme judicial court for the county of Cheshire, and may be entered and prosecuted in said court in the same manner as if originally commenced therein.

How transferred. SECT. 3. In case of said transfer, the justice of said police court shall cause certified copies of the papers in such cause to be filed with the clerk of the supreme judicial court, and said clerk shall enter said cause upon the docket of the court, upon payment by the plaintiff of the entry fee.

Fees of justice. SECT. 4. The justice of the police court shall receive, for copies in each cause, one dollar, to be paid by the plaintiff and taxed in his bill of costs, if he prevail.

Either party may appeal: time of appeal limited. SECT. 5. Either party aggrieved by the judgment of the police court, upon issue joined under the provisions of this act, may appeal therefrom to the next trial term of the supreme judicial court for said county; but no appeal shall be allowed unless claimed within twenty-four hours from the time judgment is rendered.

Act takes effect on its passage. SECT. 6. This act shall take effect from its passage.  
[Approved June 27, 1873.]



## CHAPTER XI.

## AN ACT TO FIX THE CAPACITY OF MILK-CANS.

## SECTION

1. Milk-cans to be sealed and marked annually.
2. Capacity of, fixed.

## SECTION

3. Penalty.
4. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

SECTION 1. All milk-cans, used by persons engaged in the business of purchasing milk at wholesale, shall be sealed annually by the sealer of weights and measures in the city or town where the purchaser resides; and no milk-can shall be sealed which does not contain one or more quarts, and the capacity of the can shall be legibly marked upon it by such sealer.

SECT. 2. When milk is purchased by the can, such can shall hold eight quarts of milk and no more.

SECT. 3. Every person violating the provisions of this act may be punished by a fine of not less than twenty dollars nor more than fifty dollars, one half of which fine shall enure to the complainant, and the other half to the use of the county in which conviction is obtained.

SECT. 4. This act shall take effect and be in force from its passage.

[Approved June 28, 1873.]

## CHAPTER XII.

## AN ACT IN RELATION TO THE PUBLIC PRINTING.

## SECTION

1. Secretary of state to procure printing of state publications—number fixed.

## SECTION

2. Repealing clause.
3. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

SECTION 1. The secretary of state is authorized to procure the printing of ten hundred copies of the Pamphlet Laws, and Journals of the House and Senate, of each session of the legislature, and fifteen hundred copies each of all the reports made to the legislature, and the annual message of His Excellency the governor.

SECT. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECT. 3. This act shall take effect and be in force upon its passage.

[Approved June 27, 1873.]

CHAPTER XIII.

AN ACT TO SEVER A SECTION OF LAND FROM THE TOWN OF LYNDEBORO' AND ANNEX THE SAME TO THE TOWN OF MILFORD.

SECTION

1. Part of Lyndeboro' annexed to Milford.
2. Division of debt.

SECTION

3. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Part of Lyndeboro' annexed to Milford.

SECTION 1. That so much of the territory of the town of Lyndeboro' as is described and bounded as follows,—to wit, beginning at a stake and stones, on the town line between Milford and Lyndeboro', on the north side of the highway leading from Milford to Lyndeboro', thence running westerly by said north side of the highway about forty rods, thence southerly three rods to the south side of the highway, thence westerly by said south side of the highway thirteen rods to a stake and stones, thence southerly as the fence runs to the town line thirty-one and one fourth rods, thence easterly by said town line to the bound first mentioned,—is hereby severed from said town of Lyndeboro' and annexed to the town of Milford.

Division of debt.

SECT. 2. The town of Milford shall pay to the town of Lyndeboro' a sum equal to that portion of the debt of said Lyndeboro' represented by the last valuation of the polls and estate in the section so severed and annexed, as shall be determined by the selectmen of the two towns aforesaid.

Act takes effect on its passage.

SECT. 3. This act shall take effect and be in force from its passage.

[Approved June 27, 1873.]

CHAPTER XIV.

AN ACT TO ANNEX CERTAIN TERRITORY TO THE TOWN OF BETHLEHEM.

SECTION

1. Certain territory in Grafton county annexed to Bethlehem.

SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Certain territory in Grafton county annexed to Bethlehem.

SECTION 1. That all that territory in the county of Grafton which is included within the following boundaries,—to wit, beginning at the north-easterly corner of the town of Bethlehem on the southerly line of the town of Carroll, and running thence southerly on the easterly line of said Bethlehem to the south-easterly corner of said town, thence south-easterly in a straight line in continuation of the southerly line of the same town and in the same course to the easterly line of the county of Grafton, thence northerly on said line of said county to the southerly line of Carroll, and thence westerly

on said line of said Carroll to the bound first mentioned,—be, and the same is hereby, annexed to said town of Bethlehem, and hereafter shall form and be a part of said town.

SECT. 2. This act shall take effect on its passage.

[Approved June 27, 1873.]

Act takes effect  
on its passage.

## CHAPTER XV.

### AN ACT IN RELATION TO THE TRIAL OF CAUSES.

#### SECTION

1. Judges of supreme court may order employment of stenographer in trial of causes.

#### SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That in any civil or criminal proceeding in the trial term of the supreme judicial court, or which may be legally tried under any order thereof or rule issuing therefrom, a competent short-hand reporter may be employed, whenever the court shall so order, who shall make a faithful report of all proceedings therein for the use and convenience of the court and parties, the original of which, with a copy written out in full, shall go upon the files; and a reasonable compensation, to be determined by said trial court, shall be allowed therefor, and such part thereof shall be paid by the parties and taxed in the bill of costs, and such part shall be paid by the county, as such court in its discretion shall deem just. The reporter shall be sworn to the faithful performance of the duties of his office before entering upon the same. His reports shall be *prima facie* evidence, and he shall be held responsible for their correctness.

Stenographer  
may be employ-  
ed by supreme  
court: his du-  
ties and com-  
pensation.

SECT. 2. This act shall take effect on its passage.

[Approved June 28, 1873.]

Act takes effect  
on its passage.

## CHAPTER XVI.

### AN ACT TO PROTECT THE EGGS AND YOUNG OF CERTAIN BIRDS.

#### SECTION

1. Destruction of eggs and young of birds prohibited—penalty.

#### SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. If any person shall designedly take from the nest and destroy the eggs or young of any of the birds called robins, thrushes,

Destruction of  
eggs and young  
of birds prohib-  
ited—penalty.

larks, bluebirds, sparrows, martins, woodpeckers, bobolinks, yellow-birds, linnets, flycatchers or warblers, snipes, woodcocks, plovers, rails, yellow-legs or sandpipers, partridges, grouse or quails, and wild pigeons, he shall forfeit, for every egg or young of any of said birds so taken and destroyed, the sum of two dollars, one half thereof to the use of the prosecutor.

Act takes effect on its passage.      SECT. 2. This act shall take effect upon its passage.  
[Approved June 27, 1873.]

CHAPTER XVII.

AN ACT IN RELATION TO THE SERVICE OF WRITS OR OTHER PROCESS UPON MANUFACTURING CORPORATIONS.

SECTION	SECTION
1. Legal process—how served on manufacturing corporations.	2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Service of writs, etc., on corporations.      SECTION 1. That, in addition to the modes now prescribed by law, service of writs or other process upon any manufacturing corporation may be made by leaving a copy of the same at the office or counting-room of such corporation.

Act takes effect on its passage.      SECT. 2. This act shall take effect from its passage.  
[Approved June 27, 1873.]

CHAPTER XVIII.

AN ACT IN RELATION TO THE FUNDING OF THE FLOATING DEBT, AND FOR PROVIDING FOR A TEMPORARY LOAN.

SECTION	SECTION
1. State treasurer authorized to issue bonds—amount—rate of interest—where and when redeemable.	2. Bonds—how signed—to be sold, and record of sale kept, by treasurer.
	3. Temporary loan authorized.
	4. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Treasurer to issue bonds.      SECTION 1. For the purpose of funding the present floating debt of the state, and for the payment of the bonds of the state becoming due during the present and coming year, the treasurer of the state is hereby authorized, under the direction of the governor, with the advice and consent of the council, to issue bonds or certificates of indebtedness in the name and in behalf of this state, to an amount not exceeding the sum of five hundred thousand dollars.

Said bonds or certificates shall have interest warrants or coupons, at a rate not exceeding six per cent. per annum attached thereto, payable semi-annually at the treasurer's office, or at some bank in Boston designated by the treasurer, under the direction of the governor and council. Said bonds or certificates shall all be redeemable before the expiration of the year eighteen hundred and eighty-one.

SECT. 2. All said bonds or certificates shall be signed by the treasurer and countersigned by the governor, and shall be deemed a pledge of the faith and credit of the state. The treasurer shall keep a record of all the bonds disposed of by him, which record shall contain the name of the person to whom any bond may be sold, the number thereof, the amount received by him therefor, the date of such sale, and the date when the bond shall become due. The treasurer may, from time to time, under the direction of the governor and council, sell such amount of said bonds or certificates as the public exigencies may require.

By whom signed. Treasurer to keep record of bonds sold.

SECT. 3. In order to meet any temporary indebtedness that may become due before the negotiation of the bonds hereinbefore mentioned, the treasurer of the state, under the advice and direction of the governor and council, is hereby authorized to borrow, from time to time, for the temporary use of the state, such sum or sums of money as may be necessary for that purpose, not exceeding two hundred and fifty thousand dollars, upon the best terms and conditions possible, the rate of interest not to exceed seven and three tenths per cent. per annum: provided, however, that the time of the payment of such temporary loan shall not extend beyond one year from the date of the loan.

Temporary loan.

SECT. 4. This act shall take effect from its passage.

[Approved June 27, 1873.]

Act takes effect on its passage.

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## CHAPTER XIX.

AN ACT AUTHORIZING AND EMPOWERING THE TOWN OF CLARKSVILLE TO RATIFY AND CONFIRM THE TAX OF SAID TOWN FOR THE YEAR ONE THOUSAND EIGHT HUNDRED AND SEVENTY-ONE.

SECTION

1. Town authorized to legalize tax of 1871.

SECTION

2. Town may legalize action of selectmen.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That the town of Clarksville be, and the same hereby is, authorized and empowered, at any duly called and legally holden meeting for that purpose, to ratify and confirm the tax as assessed in the town of Clarksville for the year one thousand eight hundred and seventy-one.

Town authorized to legalize tax of 1871.

SECT. 2. That the town of Clarksville be, and the same hereby is, empowered, at any legal meeting of said town, duly holden for that purpose, by major vote, to ratify and confirm the action of the

Town may legalize action of selectmen.

selectmen of said town for the year one thousand eight hundred and seventy-one, relating to an over-assessment of taxes in said town for said year; and the same, when so ratified and confirmed, shall be legal and binding to all intents and purposes.

[Approved July 1, 1873.]

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## CHAPTER XX.

AN ACT IN AMENDMENT OF SECTION NINE OF CHAPTER ONE HUNDRED AND SEVENTY-TWO OF THE GENERAL STATUTES IN RELATION TO TIMES AND PLACES FOR HOLDING PROBATE COURTS IN THE COUNTY OF GRAFTON.

### SECTION

1. Place of holding February term changed.

### SECTION

2. Repealing clause: act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

February term  
—where held.

SECTION 1. That the term of the probate court, now holden at Wentworth in February, shall hereafter be holden at Orford in said county, instead of Wentworth.

Repealing  
clause: act  
takes effect on  
its passage.

SECT. 2. All acts inconsistent with this act are repealed, and this act shall take effect on its passage.

[Approved July 1, 1873.]

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## CHAPTER XXI.

AN ACT IN AMENDMENT OF CHAPTER TWO HUNDRED AND TWENTY-SIX OF THE GENERAL STATUTES IN RELATION TO REPLEVIN.

### SECTION

1. Replevin may be maintained—when.

### SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Goods, etc.,  
unlawfully tak-  
en or attached,  
may be replev-  
ied.

SECTION 1. That section two of chapter two hundred and twenty-six of the General Statutes be amended so as to read as follows, to wit,—When any goods or chattels are unlawfully taken or detained from the owner or person entitled to the possession, or when any goods or chattels attached on mesne process are claimed by a person other than the defendant in the suit in which they are so attached or taken, such owner or other person may maintain replevin therefor.

Act takes effect  
on its passage.

SECT. 2. This act shall take effect upon its passage.

[Approved July 1, 1873.]

## CHAPTER XXII.

## AN ACT TO PROVIDE FOR THE ASSESSMENT AND COLLECTION OF A STATE TAX.

SECTION 1. State tax of four hundred thousand dollars authorized for 1874.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The sum of four hundred thousand dollars shall be raised for the use of the state, and shall be assessed, collected, and paid into the treasury on or before the first day of December, in the year of our Lord one thousand eight hundred and seventy-four; and the state treasurer is hereby directed seasonably to issue his warrant to the selectmen of the several towns and places, and to the assessors of the several cities in this state, according to the apportionment of public taxes made June session, one thousand eight hundred and seventy-two; and the selectmen of such towns and places, and the assessors of such cities, are hereby required to assess the sums specified in said warrant, and cause the same to be paid to said treasurer on or before the first day of December, in the year of our Lord one thousand eight hundred and seventy-four; and the state treasurer is hereby authorized to issue his extents for all the taxes which shall then remain unpaid.

State tax of  
\$400,000 for  
1874.

[Approved July 1, 1873.]

## CHAPTER XXIII.

## AN ACT TO FACILITATE THE DECISIONS OF CAUSES AT THE LAW TERM.

## SECTION

1. Prevailing party furnishing brief within thirty days, to recover costs therefor.

## SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The party to any cause which shall arise in or go to the law term, who shall prevail, shall be entitled to tax and recover of the adverse party a reasonable sum, not exceeding fifteen dollars in any case, therefor, if he furnishes to each member of the court and one of the opposing counsel a written or printed brief within thirty days after the printed case is distributed, or the case is otherwise in order for brief or argument.

Briefs furnish-  
ed—when—to  
whom—costs to  
whom taxed.

SECT. 2. This act shall take effect upon its passage.

Act takes effect  
on its passage.

[Approved July 1, 1873.]

CHAPTER XXIV.

AN ACT IN RELATION TO SUITS OF REPLEVIN.

SECTION

1. Goods replevied to be retained by officer in certain cases.
2. To be returned to defendant with damages—when.

SECTION

3. Value of, to be found, and deducted from damages.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

Goods replevied to be retained by officer in certain cases.

SECTION 1. Whenever any goods and chattels, except living animals, and goods liable to waste, decay, or greatly depreciate in value by keeping, shall be taken in replevin, the defendant may require the officer serving the writ to retain the goods, or any part of them, in his own possession ; and if the defendant shall give bond to the officer with sufficient surety in a sum not less than double the value of the goods, with condition that he will pay all costs and charges of keeping and insuring the goods, and all depreciation thereof, if the plaintiff in the suit shall prevail against him, the officer shall retain the goods in his own custody while the suit is pending, subject to such orders as the court may from time to time make respecting the custody of said goods.

To be returned to defendant with damages—when.

SECT. 2. If the defendant shall prevail in the suit, he shall have judgment for the return of said goods, with such further damages as may be awarded to him.

Value of, to be found, and deducted from damages.

SECT. 3. In any action of replevin, the defendant, if he prevails, may have judgment for the return of such of the goods and chattels replevied as may at the time of the trial or judgment remain in the possession of the plaintiff, or for any part of the same, if he shall so elect. And when any defendant shall have so elected, the value of the goods to be returned shall be found by the jury or ascertained by the court ; and, upon the return of the goods, the value of the same shall be deducted from the damages assessed in the suit in favor of the defendant.

[Approved July 1, 1873.]



## CHAPTER XXV.

## AN ACT RELATING TO THE SALARIES OF THE JUDGE AND REGISTER OF PROBATE FOR THE COUNTY OF MERRIMACK.

## SECTION

1. Salaries of judge and register.

## SECTION

2. Repealing clause: act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That the annual salary of the judge of probate for the county of Merrimack shall be four hundred and fifty dollars, and the annual salary of the register of probate for that county shall be six hundred dollars, instead of the sums now allowed by law.

SECT. 2. All acts inconsistent with this act are hereby repealed, and this act shall take effect from and after its passage.

[Approved July 1, 1873.]

## CHAPTER XXVI.

## AN ACT IN AMENDMENT OF SECTIONS FOUR AND FIVE OF CHAPTER THREE, OF LAWS PASSED JUNE SESSION, A. D. 1872, ENTITLED "AN ACT TO REGULATE THE SALE OF COMMERCIAL FERTILIZERS."

## SECTION

1. Fertilizers to be labelled—penalty.  
2. Act applies to fertilizers on hand.

## SECTION

3. Repealing clause: act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That section four of chapter three of laws passed June session, A. D. 1872, be amended by adding after the word "state," in the third line, and before "which," the words "which is not labelled as specified in section one."

Said section is also amended by striking out, in the ninth, tenth, and eleventh lines, the words "all analyses used in any prosecutions under the provisions of this act shall be made by the state assayer." Said section is further amended by striking out, after the word "applied" in the twelfth line, the words "to paying the expense of such analyses, to the expenses of the board of agriculture, including the printing of their annual report, and the balance, if any should accrue, to the use of the county in which the complaints are made," and inserting instead thereof the words "one half for the use of the prosecutor, and the other half for the use of the county."

SECT. 2. That section five of said chapter be amended by striking out, in the first and second lines, the words "nothing in this act

shall apply to any fertilizer already in the hands of agents or dealers.”

Repealing  
clause: act  
takes effect  
on its passage.

SECT. 3. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect from and after its passage: providing, however, that nothing in this act shall affect, or be so construed as to interfere with, any pending suits or proceedings.

[Approved July 2, 1873.]

## CHAPTER XXVII.

### AN ACT TO REORGANIZE THE COUNCILLOR AND SENATORIAL DISTRICTS.

#### SECTION

1. Number and powers of Council districts.
2. Limits of district No. 1.
3. Limits of district No. 2.
4. Limits of district No. 3.
5. Limits of district No. 4.
6. Limits of district No. 5.
7. Number and powers of Senatorial districts.
8. Limits of district No. 1.
9. Limits of district No. 2.
10. Limits of district No. 3.

#### SECTION

11. Limits of district No. 4.
12. Limits of district No. 5.
13. Limits of district No. 6.
14. Limits of district No. 7.
15. Limits of district No. 8.
16. Limits of district No. 9.
17. Limits of district No. 10.
18. Limits of district No. 11.
19. Limits of district No. 12.
20. Repealing clause.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Number and  
powers of  
Council dis-  
tricts.

District No. 1.

SECTION 1. The state is divided into five Council Districts, each of which may choose one councillor annually.

SECT. 2. Council District Number One contains the county of Rockingham, except the city of Portsmouth and the towns of Gosport, Greenland, Hampton, Newcastle, Newington, Newmarket, North Hampton, Rye, South Newmarket, and Stratham, and the county of Merrimack, except the towns of Bradford, Newbury, New London, Sutton, Warner, and Wilmot.

District No. 2.

SECT. 3. Council District Number Two contains the county of Strafford, the county of Belknap, except the towns of New Hampton, Sanbornton, and Tilton, and the city of Portsmouth, and the towns of Gosport, Greenland, Hampton, Newcastle, Newington, Newmarket, North Hampton, Rye, South Newmarket, and Stratham in the county of Rockingham.

District No. 3.

SECT. 4. Council District Number Three contains the county of Hillsborough, except the towns of Antrim, Bennington, Deering, Francetown, Greenfield, Hancock, Hillsborough, New Boston, and Windsor.

District No. 4.

SECT. 5. Council District Number Four contains the counties of Cheshire and Sullivan, the towns of Bradford, Newbury, New London, Sutton, Warner, and Wilmot in the county of Merrimack, the towns of Antrim, Bennington, Deering, Greenfield, Francetown, Hancock, Hillsborough, New Boston, and Windsor in the county of Hillsborough, and the town of Lebanon in the county of Grafton.

SECT. 6. Council District Number Five contains the counties of Coös and Carroll, the county of Grafton, except the town of Lebanon, and the towns of New Hampton, Sanbornton, and Tilton in the county of Belknap. District No. 5.

SECT. 7. The state is divided into twelve Senatorial Districts, each of which may elect one senator to the legislature annually. Number and powers of Senatorial districts.

SECT. 8. Senatorial District Number One contains Durham, Gosport, Greenland, Hampton, Hampton Falls, Newcastle, Newington, Newmarket, North Hampton, Portsmouth, Rye, South Newmarket, and Stratham. District No. 1.

SECT. 9. Senatorial District Number Two contains Atkinson, Auburn, Brentwood, Candia, Chester, Danville, Deerfield, Derry, East Kingston, Epping, Exeter, Fremont, Hampstead, Kensington, Kingston, Londonderry, Newton, Northwood, Nottingham, Pelham, Plaistow, Raymond, Salem, Sandown, Seabrook, South Hampton, and Windham. District No. 2.

SECT. 10. Senatorial District Number Three contains the city of Manchester. District No. 3.

SECT. 11. Senatorial District Number Four contains Allenstown, Bow, Chichester, Concord, Dunbarton, Epsom, Hooksett, Loudon, Pembroke, and Pittsfield. District No. 4.

SECT. 12. Senatorial District Number Five contains Barrington, Dover, Farmington, Lee, Madbury, Rochester, Rollinsford, and Somersworth. District No. 5.

SECT. 13. Senatorial District Number Six contains Alton, Barnstead, Belmont, Brookfield, Canterbury, Center Harbor, Effingham, Gilford, Gilmanton, Holderness, Laconia, Madison, Meredith, Middleton, Milton, Moultonborough, New Durham, New Hampton, Northfield, Ossipee, Sanbornton, Sandwich, Strafford, Tamworth, Tilton, Tuftonborough, Wakefield, and Wolfeborough. District No. 6.

SECT. 14. Senatorial District Number Seven contains Brookline, Fitzwilliam, Greenville, Hollis, Hudson, Jaffrey, Mason, Nashua, New Ipswich, Rindge, Sharon, Temple, and Wilton. District No. 7.

SECT. 15. Senatorial District Number Eight contains Amherst, Bedford, Bennington, Bradford, Deering, Francestown, Goffstown, Greenfield, Henniker, Hopkinton, Litchfield, Lyndeborough, Merrimack, Milford, Mont Vernon, New Boston, Peterborough, Warner, and Weare. District No. 8.

SECT. 16. Senatorial District Number Nine contains Antrim, Chesterfield, Dublin, Gilsum, Hancock, Harrisville, Hillsborough, Hinsdale, Keene, Marlborough, Nelson, Richmond, Roxbury, Stoddard, Sullivan, Surry, Swanzey, Troy, Westmoreland, Winchester, and Windsor. District No. 9.

SECT. 17. Senatorial District Number Ten contains Acworth, Alstead, Charlestown, Claremont, Cornish, Croydon, Goshen, Grantham, Langdon, Lebanon, Lempster, Marlow, Newport, Plainfield, Springfield, Sunapee, Unity, Walpole, and Washington. District No. 10.

SECT. 18. Senatorial District Number Eleven contains Alexandria, Andover, Ashland, Boscaawen, Bridgewater, Bristol, Campton, Canaan, Danbury, Enfield, Franklin, Grafton, Hanover, Hebron, Hill, Lyme, New London, Newbury, Orange, Orford, Piermont, Plymouth, Salisbury, Sutton, Webster, and Wilmot. District No. 11.

SECT. 19. Senatorial District Number Twelve contains all the towns and places in the county of Coös, and the towns of Albany, District No. 12.

Bartlett, Bath, Benton, Bethlehem, Chatham, Conway, Dorchester, Eaton, Ellsworth, Franconia, Freedom, Groton, Hart's Location, Haverhill, Jackson, Landaff, Lincoln, Lisbon, Littleton, Lyman, Monroe, Rumney, Thornton, Warren, Waterville, Wentworth, and Woodstock.

Repealing  
clause.

SECT. 20. All acts and parts of acts inconsistent with this act are hereby repealed.

[Approved July 2, 1873.]

## CHAPTER XXVIII.

AN ACT IN AMENDMENT OF SECTION TWO, CHAPTER FOUR OF THE PAMPHLET LAWS OF EIGHTEEN HUNDRED AND SIXTY-NINE, RELATING TO SAVINGS BANKS.

### SECTION

1. Savings banks neglecting to pay tax, to be charged interest thereon.

### SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Savings banks  
neglecting to  
pay tax, to be  
charged inter-  
est thereon

SECTION 1. That section two, chapter four of the pamphlet laws of eighteen hundred and sixty-nine be amended by adding the words, "and upon their neglect, the treasurer shall add thereto interest after such default at the rate of ten per cent. per annum, and shall issue his extent for the sum so unpaid and said interest till payment is made; and all property of the corporation the first day of April preceding shall be liable for its payment," after the word "thereof" in the fifth line of said section.

Act takes effect  
on its passage.

SECT. 2. This act shall take effect upon its passage.  
[Approved July 2, 1873.]

## CHAPTER XXIX.

AN ACT IN ADDITION TO AND AMENDMENT OF CHAPTER FIVE OF THE PAMPHLET LAWS OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY, RELATING TO SEWERAGE.

### SECTION

1. Land taken for sewerage—proceedings same as for highways.

### SECTION

2. Act takes effect on its passage: repealing clause.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Land taken for  
sewerage—pro-  
ceedings same  
as for high-  
ways.

SECTION 1. Whenever it shall be adjudged necessary by the mayor and aldermen of any city in which the act to which this act is an amendment has been adopted by the city council, and by the selectmen of any town in which the same has been adopted by the legal voters at a meeting legally called for that purpose, to extend any

main drain or common sewer, provided for by said act, across, upon, over, or through the land of any person or corporation, the mayor and aldermen of the city and the selectmen of the town shall proceed in the manner required by law in taking land for public highways or streets; and any person or corporation, suffering damage in their property by such taking, shall have all and the same rights and remedies for the ascertainment and recovery of the amount of such damage as is provided by law for the ascertainment and recovery of damages for lands taken for public highways or streets.

SECT. 2. This act shall take effect upon its passage, but shall be in force only in such cities and towns as have or may adopt the act to which this is an amendment, as provided in the first section thereof: and all acts and parts of acts inconsistent with this act are hereby repealed.

Act takes effect  
on its passage.

Repealing  
clause.

[Approved July 2, 1873.]

## CHAPTER XXX.

AN ACT TO CONFIRM AND ESTABLISH THE BOUNDARY LINE BETWEEN THE TOWNS OF GREENVILLE AND MASON.

### SECTION

1. Line between Greenville and Mason established.

### SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The boundary line between said towns of Greenville and Mason is hereby established to be as it was enacted to be in chapter twenty-four of the pamphlet laws of one thousand eight hundred and seventy-two.

Boundary line  
established.

SECT. 2. This act shall take effect upon its passage.

Act takes effect  
on its passage.

[Approved July 2, 1873.]

## CHAPTER XXXI.

AN ACT RELATING TO THE AUDITING AND ALLOWANCE OF SHERIFFS' ACCOUNTS.

### SECTION

1. Sheriffs annually to submit account to county commissioners.

### SECTION

2. Repealing clause.

3. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The sheriff shall, once in each year, submit to the county commissioners, at a trial term of the supreme court, a statement in detail of all services of himself or of his deputies for which the county is chargeable, and such amount shall be allowed as is

Sheriffs to ac-  
count annually.

just ; and no such account shall be allowed unless presented within one year after the service was performed.

Repealing  
clause.

SECT. 2. Section sixteen of chapter one hundred ninety-seven of the General Statutes is hereby repealed.

Act takes effect  
on its passage.

SECT. 3. This act shall take effect on its passage.  
[Approved July 2, 1873.]

CHAPTER XXXII.

AN ACT IN AMENDMENT OF SECTION THIRTEEN OF CHAPTER FIFTY OF THE GENERAL STATUTES, IN RELATION TO THE TAXATION OF WOOD, BARK, LOGS, AND LUMBER.

SECTION

1. Wood, etc., of non-resident owner to be taxed to him: lien of town thereon.

SECTION

2. Repealing clause: act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Wood, etc., of  
non-resident  
owner to be  
taxed to him:  
lien of town  
thereon.

SECTION 1. That when any wood, bark, logs, or lumber, liable to be taxed, shall be owned by a person residing out of the town where the same is situated on the first day of April, and is not in the custody of any person residing in such town, the same shall be taxed to the owner thereof ; and said town shall have a lien thereon for the payment of the taxes, in the same manner as is prescribed in chapter 54 of the General Statutes.

Repealing  
clause: act  
takes effect on  
its passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect from its passage.

[Approved July 2, 1873.]

CHAPTER XXXIII.

AN ACT IN AMENDMENT OF SECTION THREE OF CHAPTER ONE HUNDRED AND SEVENTY-TWO OF THE GENERAL STATUTES, IN RELATION TO THE PLACE OF HOLDING THE PROBATE COURT IN THE COUNTY OF BELKNAP.

SECTION

1. Terms of probate court: times and places of holding.

SECTION

2. Repealing clause.  
3. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Times and  
places of hold-  
ing terms.

SECTION 1. That section three of chapter one hundred and seventy-two of the General Statutes be amended by striking out the words " at Gilford on the third Tuesday of every month," and inserting in lieu thereof the following words: At Gilford on the third Tuesday of January, February, March, April, May, July,

August, September, November, and December, and at Gilmanton Iron Works on the third Tuesday of June and October.

SECT. 2. Chapter thirty-four of the pamphlet laws of one thousand eight hundred and seventy-one, and all acts and parts of acts inconsistent with this act, are hereby repealed. Repealing clause.

SECT. 3. This act shall take effect on its passage.

Act takes effect on its passage.

[Approved July 2, 1873.]

## CHAPTER XXXIV.

AN ACT IN AMENDMENT OF SECTION 6 OF CHAPTER 240 OF THE GENERAL STATUTES, RELATING TO RECOGNIZANCE IN CRIMINAL CASES.

### SECTION

1. Parties and witnesses in police court to recognize to appear at the next grand jury term.

### SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Section 6 of chapter 240 of the General Statutes shall be amended so as to read,—If the offence is bailable by such police court or justice, the accused shall be ordered to recognize with sufficient sureties in a reasonable amount for his appearance at the supreme judicial court at the next trial term thereof for the county, and to stand committed until the order is complied with; but if no grand jury is required to attend the next trial term, parties and witnesses shall be ordered to recognize to appear at the next term to which a grand jury is required to attend. Parties and witnesses ordered to recognize.

SECT. 2. This act shall take effect from its passage.

Act takes effect on its passage.

[Approved July 2, 1873.]

## CHAPTER XXXV.

AN ACT IN AMENDMENT OF SECTION ONE, CHAPTER FIFTEEN OF THE LAWS OF 1870, AND IN AMENDMENT OF SECTION ONE, CHAPTER FIFTEEN OF THE LAWS OF 1872, RELATIVE TO THE DUTIES AND POWERS OF TRUSTEES OF SAVINGS BANKS.

### SECTION

1. Duties of trustees of savings banks—by whom performed—compensation.
2. Debtor trustee not ineligible to reelection.

### SECTION

3. Repealing clause.
4. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That the duties required to be performed by the trustees of savings banks, under section one, chapter fifteen of the laws of 1872, may be performed by a committee appointed from their own board by the trustees for that purpose, and such committee, Duties of trustees of savings banks—by whom performed—compensation.

and any other committee so appointed, together with such clerks as they may find it necessary to employ, shall be entitled to receive proper compensation for services actually performed by them.

Debtor trustee  
not ineligible to  
reelection.

SECT. 2. That any loan to a trustee made agreeably to section 1, chapter fifteen of the laws of 1870, shall not be held to render such trustee ineligible to a reelection as trustee.

Repealing  
clause.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

Act takes effect  
on its passage.

SECT. 4. This act shall take effect from and after its passage.  
[Approved July 2, 1873.]

CHAPTER XXXVI.

AN ACT IN AMENDMENT OF CHAPTER 52 OF THE PAMPHLET LAWS PASSED JUNE SESSION, 1869, ENTITLED "AN ACT IN RELATION TO THE PRESERVATION OF CERTAIN BIRDS."

SECTION

1. Act protecting pigeons repealed.

SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Act protecting  
pigeons repeal-  
ed.

SECTION 1. That portion of section 1, chapter 52 of the pamphlet laws passed June session, 1869, which prohibits the baiting, taking, and killing of wild pigeons, between the first day of February and the fifteenth day of August in any year, is hereby repealed.

Act takes effect  
on its passage.

SECT. 2. This act shall take effect from and after its passage.  
[Approved July 2, 1873.]

CHAPTER XXXVII.

AN ACT TO ANNEX A PORTION OF MEREDITH TO CENTER HARBOR.

SECTION

- 1. Part of Meredith annexed to Center Harbor.
- 2. Meredith to assess and collect taxes in the part severed.

SECTION

- 3. To collect and apply taxes heretofore assessed.
- 4. Proportion of public taxes to each town.
- 5. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Part of Meredith  
annexed to  
Center Harbor.

SECTION 1. All that portion of the town of Meredith contained within the following boundaries, viz.,—beginning on the line between said town of Meredith and the town of Center Harbor, at a large stone in the end of the wall at the westerly corner of the farm of the late Jonathan Brown; thence running south thirty-one and three fourths degrees east, one hundred and forty-one rods and



twenty links on the line of the said Brown farm to a wall; thence north fifty-eight and one half degrees east, twelve rods and fifteen links on said Brown farm; thence south thirty-two and one half degrees east, one hundred and twenty-two rods and seventeen links on said Brown farm to a wall; thence north fifty-eight and one fourth degrees east, sixteen rods on said Brown farm to land of Samuel Hutchins; thence south thirty-one and one fourth degrees east, one hundred and twenty-six rods on said Hutchins's land, land of Isaac Leavitt, and land of John Smith, to the corner wall on land of Moses Chapman; thence north fifty-nine and one half degrees east, on said Smith's land to the corner of a wall; thence south thirty-one and one fourth degrees east, forty-seven rods on land of said Smith to Winnipiseogee lake; thence northerly on said lake to the line between said town of Meredith and the town of Moultonborough; thence north-westerly on the line between Meredith and Moultonborough to the easterly corner of Center Harbor; thence south-westerly on the line between Meredith and Center Harbor to the point of beginning,—is hereby severed from said town of Meredith and annexed to said town of Center Harbor.

SECT. 2. The town of Meredith shall retain and have the power to assess and collect for its use and benefit upon the polls and estates of the persons and estates liable to taxation, in the portion of Meredith annexed to Center Harbor by this act, the sum of two thousand five hundred dollars and interest, within five years from the passage of this act, in the same way and in like manner as it would have the right to assess and collect the same had this act not been passed; and for all the purposes of invoice, assessment, and collection of the aforesaid sum of two thousand dollars and interest, the said town of Meredith shall have the same power within said territory as it would have had [had] this act not been passed: provided, however, that not more than one fourth part of said two thousand dollars and interest shall be assessed as aforesaid in any one of the said five years.

Meredith to assess and collect taxes in the part severed.

SECT. 3. All taxes heretofore assessed upon the polls and estates of persons residing within the limits of the territory hereby annexed to Center Harbor, and upon the estates in said territory of non-residents, shall be collected and applied the same as if this act had not been passed.

To collect and apply taxes heretofore assessed.

SECT. 4. Of every one thousand dollars of public taxes hereafter to be raised, the proportion which said town of Meredith shall pay shall be four dollars and forty-two cents, and the proportion which said town of Center Harbor shall pay shall be one dollar and twenty-eight cents; and the treasurer shall issue his warrant accordingly.

Proportion of public taxes to each town.

SECT. 5. This act shall take effect from and after its passage.

Act takes effect on its passage.

[Approved July 3, 1873.]

CHAPTER XXXVIII.

AN ACT IN RELATION TO THE GOVERNMENT OF RAILROAD TRAINS.

SECTION

1. Movement of trains regulated when roads intersect.

SECTION

2. Penalty for violation.
3. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

Movement of trains regulated when roads intersect.

SECTION 1. When a railroad, whose cars are propelled by steam, is crossed by a similar railroad at grade, every engineer of a passenger train on such roads shall stop his engine within five hundred feet of the intersection of said roads, and shall pass slowly over said intersection ; but one stop shall be sufficient for all such crossings within six hundred feet of one another upon the same road, and no stop shall be required at any crossing where a signal-man is stationed.

Penalty for violation.

SECT. 2. Every engineer violating the provisions of the preceding section shall forfeit one hundred dollars for each offence, and the corporation on whose road the offence is committed shall forfeit the further sum of two hundred dollars, such forfeitures to be recovered by complaint in the county where the offence is committed.

Act takes effect on its passage.

SECT. 3. This act shall take effect from and after its passage.  
[Approved July 3, 1873.]

CHAPTER XXXIX.

AN ACT IN AMENDMENT OF CHAPTER 251 OF THE GENERAL STATUTES, IN RELATION TO OFFENCES AGAINST "GAME LAWS."

SECTION

1. Fishways not be opened in dams in Winnipiseogee river.

SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

Fishways not to be opened in dams in Winnipiseogee river.

SECTION 1. That the provision for erecting fishways over and upon the dams of the Winnipiseogee river, as provided for in the twentieth section of said chapter, be, and the same is hereby, repealed.

Act takes effect on its passage.

SECT. 2. This act shall take effect from and after its passage.  
[Approved July 3, 1873.]

## CHAPTER XL.

AN ACT IN AMENDMENT OF CHAPTER ONE, SECTION SEVENTY, OF THE PAMPHLET LAWS OF ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT, RELATING TO THE SALARY OF THE WARDEN OF THE STATE PRISON.

## SECTION

1. Annual salary of warden of state prison, \$1500.

## SECTION

2. Repealing clause: act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That the annual salary of the warden of the state prison shall be fifteen hundred dollars, in full compensation for all services rendered by him in said office. Salary of warden, \$1500.

SECT. 2. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect upon its passage. Repealing clause: act takes effect on its passage.

[Approved July 3, 1873.]

## CHAPTER XLI.

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT TO ESTABLISH A NEW PROPORTION FOR THE ASSESSMENT OF PUBLIC TAXES," APPROVED JULY 4, 1872.

## SECTION

1. Proportion of public taxes to be paid by Hale's Location.  
2. 1872 apportionment of public taxes to Sutton corrected.

## SECTION

3. Repealing clause: act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Of every thousand dollars of public taxes hereafter to be raised, the proportion which Hale's Location, in the county of Carroll, shall pay, and for which the state treasurer is hereby authorized to issue his warrant, shall be one cent. Proportion of public taxes to be paid by Hale's Location.

SECT. 2. The state treasurer is hereby authorized to abate from the state tax of 1873, to be paid by the town of Sutton in the county of Merrimack, two dollars and one cent for every one thousand dollars of the entire state tax, and to make the same proportional abatement annually thereafter during the period of apportionment fixed by the act to which this act is an amendment. And the treasurer of the county of Merrimack is also authorized to make a proportional annual abatement from the amount of county tax to be paid by said town during said time. 1872 apportionment of public taxes to Sutton corrected.

SECT. 3. All acts and part of acts inconsistent with this act are hereby repealed, and this act shall take effect on its passage. Repealing clause: act takes effect on its passage.

[Approved July 3, 1873.]

## CHAPTER XLII.

## AN ACT DIRECTING THE DESTRUCTION OF BONDS AND COUPONS.

## SECTION

1. Committee of council to destroy all redeemed state bonds.

## SECTION

2. To prepare and file schedule of bonds destroyed.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Redeemed state bonds to be destroyed.

SECTION 1. That His Excellency the governor shall appoint a committee of the honorable council, whose duty it shall be to destroy all bonds and coupons of the state, now in the treasurer's office, which were redeemed prior to the first day of June, 1873, and that hereafter such bonds and coupons shall be destroyed by a committee of the honorable council, after the treasurer's accounts have been audited by the proper committee of the house of representatives.

Schedule of same to be made and filed.

SECT. 2. The committee shall prepare a schedule of the bonds and coupons so destroyed, which shall be placed on file in the treasurer's office.

[Approved July 3, 1873.]

## CHAPTER XLIII.

## AN ACT TO INCREASE THE AMOUNT OF THE MUNICIPAL WAR LOAN, AND TO AUTHORIZE THE TREASURER TO CLOSE THE CASH BALANCE IN HIS HANDS INTO THE REVENUE ACCOUNT.

## SECTION

1. War loan increased and balance transferred to revenue account.
2. War loan bonds to be destroyed.

## SECTION

3. Repealing clause.
4. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

War loan increased and balance transferred to revenue account.

SECTION 1. That the amount of the municipal war loan authorized by the several acts now in force, be, and the same is hereby, increased by the sum of ninety-six dollars and twenty-three cents, and that the state treasurer be authorized to close the cash balance of one hundred and ninety-six dollars and twenty-six cents, the same being the balance in the treasurer's hands after paying all sums awarded to the several cities and towns, into the revenue account.

War loan bonds to be destroyed.

SECT. 2. That the state treasurer be directed to destroy, in the presence of the governor and council, the balance of the municipal war loan bonds now in his possession that are not required in settlement with the several cities and towns; and the treasurer shall

prepare a schedule including the number and denomination of the bonds so destroyed, which schedule shall be placed on file in the treasurer's office.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed. Repealing clause.

SECT. 4. This act shall take effect upon its passage. Act takes effect on its passage.  
[Approved July 3, 1873.]

CHAPTER XLIV.

AN ACT TO PROVIDE FOR THE STORAGE, SALE, AND INSPECTION OF PETROLEUM AND ITS PRODUCTS.

SECTION

- 1. Appointment of inspector of petroleum, etc., provided for: his duties and compensation.
- 2. Sale of illuminating oils regulated—penalty for violation.
- 3. Oils which shall be branded "unsafe for illuminating purposes."
- 4. Penalty for selling naptha under false name.
- 5. Storage, etc., of petroleum, etc., regulated—penalty.

SECTION

- 6. Dealers in petroleum to be licensed: license to contain what: how long to continue.
- 7. Justice to issue search-warrant, upon complaint that explosive oils are kept in violation of law.
- 8. Time of keeping such articles in exposed places limited—penalty.
- 9. Dealers required to have oils inspected and approved—penalty.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The mayor and aldermen of every city, and the selectmen of every town of more than fifteen hundred inhabitants, and of every town of less than fifteen hundred inhabitants, upon the written application of five or more citizens of such town therefor, shall appoint annually one or more suitable persons, not interested in the sale of crude petroleum, or in the sale or manufacture of petroleum, earth rock oil, or in any of their products, to be inspector or inspectors thereof in said city or town, and fix their compensation, to be paid by persons requiring their services under the provisions of this statute, and who, before entering upon the duties of their office, shall be duly sworn. Any inspector, guilty of fraud, deceit, or culpable negligence in the performance of his duties, shall be punished by fine not exceeding one hundred dollars, or imprisonment in the county jail or house of correction not exceeding one month, or by both, in the discretion of the court. Appointment of inspector of petroleum, etc., provided for: his duties and compensation.

SECT. 2. No person shall mix for sale naptha and illuminating oils, or shall sell or offer for sale such mixture, or shall sell or offer for sale, except for purposes of remanufacture, illuminating oils or compounds made from coal or petroleum, which will evaporate a gas under one hundred degrees Fahrenheit, or ignite at a temperature of less than one hundred and ten degrees Fahrenheit,—to be ascertained by the application of Tagliabue's or some other approved instrument; and any person so doing shall, for each offence, Sale of illuminating oils regulated—penalty for violation.

be punished by fine of not less than one hundred dollars, or imprisonment as in first section hereof; and shall also be liable therefor to any person suffering damage from the explosion or ignition of such oil thus unlawfully sold, or kept, or offered for sale; and such oil or compounds thus unlawfully sold, or kept, or offered for sale, and the casks or packages containing the same, shall be forfeited and sold,—one half of the proceeds of such sale to go to the state, and the other half to the informer.

Oils which shall be branded "unsafe for illuminating purposes."

SECT. 3. For all the purposes of this act, all illuminating oils or compounds made from coal or petroleum, having an igniting point of less than one hundred and ten degrees Fahrenheit, to be determined in the manner provided in the second section of this act, shall be deemed to be mixed with naptha, and shall be branded unsafe for illuminating purposes.

Penalty for selling naptha under false name.

SECT. 4. Any person who shall sell, or keep, or offer for sale naptha under any false or assumed name, shall, for each offence, upon conviction thereof, be liable to the same penalties provided, and shall be subject to the same liabilities set forth, in the second section of this act.

Storage, etc., of petroleum, etc., regulated—penalty.

SECT. 5. Crude petroleum, or any of its products, may be stored, kept, manufactured, or refined, in detached and properly ventilated buildings specially adapted to the purpose, and surrounded by an embankment constructed so as to effectually prevent the overflow of said petroleum or any of its products beyond the premises on which the same may be kept, manufactured, or refined,—said buildings to be occupied in no part as a dwelling; and, if less than fifty feet from any other buildings, must be separated therefrom by a stone or brick wall at least ten feet high and twelve inches thick; and any person keeping such articles in any other kind of building, except as is hereinafter provided in the sixth section hereof, shall be punished by fine or imprisonment in the manner provided in the second section hereof.

Dealers in petroleum to be licensed: license to contain what: how long to continue.

SECT. 6. No person shall manufacture, refine, mix, store, or keep for sale any oil or fluid composed wholly or in part of any of the products of petroleum, in any city or town, except as provided in the fifth section of this act, without a license first having been obtained from the mayor and aldermen of said city, or the selectmen of said town; and in said license there shall be expressed the manner, and the portion of any locality or building, in which said articles may be mixed, stored, or kept; and whoever mixes, stores, or keeps said articles in any one locality, except as aforesaid, without having first obtained a license as herein required, or, having obtained such license, mixes, stores, or keeps said articles in a different manner, or in any other portion of said locality or building, than is expressed in said license, shall forfeit and pay a sum not exceeding five hundred dollars, to be recovered in any appropriate form of action, to be instituted in the name of the mayor of said city or of the selectmen of said town,—one half to go to the state, and one half to the informer; and the license granted in accordance with the provisions of this act shall continue to be in force from the time of granting the same until the first day of April next succeeding, unless sooner revoked; and said license shall be revokable at all times by the authorities granting the same.

SECT. 7. Upon complaint made to the justice of any municipal or

police court, or to a justice of the peace, by the mayor, or by an alderman of any city, or by a selectman of any town, or by an inspector appointed under the provisions of this act, or an engineer of a fire department, fire ward, chief of police, or city marshal, that he has probable cause to suspect, and does suspect, that any of the articles enumerated in this act are offered for sale, or are deposited and kept within the limits of said city or town, contrary to the provisions of this act, said justice or court may issue a warrant directed to any such inspector, engineer, or fire-ward, or to any sheriff, deputy sheriff, constable, or police officer, ordering him to enter any shop, warehouse, manufactory, or any other building specified in the warrant, to make diligent search for such article or articles suspected to be so offered for sale, deposited, or kept, and to make return of his doings to said justice or court forthwith.

Justices to issue search-warrant upon complaint that explosive oils are kept in violation of law.

SECT. 8. None of the articles enumerated in this act shall be allowed to remain in any street, lane, alley, or travelled way, or upon any wharf, or in any yard, or on the grounds of any railroad corporation, in any city for a longer time than twenty-four hours, and in any town for a longer time than forty-eight hours, without a special permit from the mayor and aldermen of said city, or the selectmen of said town, or from some person by them duly authorized ; and any and all persons so keeping such articles for a longer time shall be punished by a fine of not more than fifty dollars for each and every offence.

Time of keeping such articles in exposed places limited—penalty.

SECT. 9. No person shall sell, or keep for sale, or in storage, any crude or refined petroleum, naphtha, kerosene, earth rock, machinery, or illuminating oil, in any city or town, without having the same inspected and approved by an authorized inspector. And any person violating the provisions of this section shall be fined and imprisoned in the manner provided in the second section of this act.

Dealers required to have oils inspected and approved—penalty.

[Approved July 3, 1873.]

CHAPTER XLV.

AN ACT IN RELATION TO THE SUPPORT OF CERTAIN PAUPERS IN THE PLACE OF THEIR DOMICILE.

SECTION

1. Certain paupers, so electing, may be supported in the town of their domicile.

SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

SECTION 1. It shall be the duty of county commissioners to make a contract with selectmen of any town in their county for the support of county paupers, who, on account of long residence or local associations, shall wish to remain in the town of their domicile, whenever in the judgment of the commissioners and the selectmen it shall be thought best to do so : provided, the sum agreed shall not

Certain paupers, so electing, may be supported in the town of their domicile.

exceed the sum of one dollar and fifty cents a week for each pauper so supported.

Act takes effect  
on its passage.

SECT. 2. This act shall take effect on its passage.

[Approved July 3, 1873.]

## CHAPTER XLVI.

### AN ACT IN RELATION TO THE FINAL REPORT OF THE STATE GEOLOGIST.

#### SECTION

1. Secretary of state to have printed 1000 copies final report of state geologist.
2. Distribution of same.

#### SECTION

3. Governor authorized to draw his warrant to pay expenses of report.
4. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

Secretary of  
state to have  
printed 1000  
copies final re-  
port of state ge-  
ologist.

SECTION 1. The secretary of state is hereby authorized to procure the printing of one thousand copies of the final report of the state geologist, with such necessary maps, plates, and sections as he may determine. The report shall be printed in the usual style of such reports, and shall not exceed two volumes.

Distribution of  
same.

SECT. 2. The secretary of state shall distribute the one thousand copies as follows : To each town in the state, for the use of its citizens, one copy, to be deposited in the town library or other public library, or in the town-clerk's office, at the discretion of the selectmen ; to Dartmouth college, the New Hampshire Historical Society, the New England Historic Genealogical Society, the Smithsonian Institution, and congressional library, and the state geologist, each six copies ; to each incorporated academy applying to the secretary of state, and to the State Normal School, one copy ; to each state library, and the library of the Canadian government, and the principal assistant in the survey, one copy ; for distribution among distinguished geologists and scientific institutions and colleges, and at the discretion of the secretary of state, fifty copies. The remainder shall be deposited in the state library for permanent preservation, for exchanges, or for sale at cost, at the discretion of the trustees of the library.

Governor au-  
thorized to  
draw his war-  
rant to pay ex-  
penses of re-  
port.

SECT. 3. The governor is hereby authorized, in order to carry into effect this act, to draw his warrant for any money in the treasury raised under the act " To provide for the geological and mineralogical survey of the state," and not necessary therefor, and also for any other money in the treasury necessary to complete this act, and not otherwise appropriated.

Act takes effect  
on its passage.

SECT. 4. This act shall take effect from its passage.

[Approved July 3, 1873.]



## CHAPTER XLVII.

AN ACT IN AMENDMENT OF CHAPTER TWO HUNDRED AND FORTY-THREE OF THE GENERAL STATUTES, IN RELATION TO THE ARRAIGNMENT AND TRIAL OF MINORS AND PERSONS OF UNSOUND MIND.

SECTION 1. Town or county to pay counsel appointed to defend minors, etc.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That whenever any counsel shall be appointed to advise with any minor or person of unsound mind, and to conduct his defence as provided by section four of said chapter, said counsel shall be entitled to receive from the town or county, in whose behalf the action is prosecuted, a reasonable compensation therefor.

[Approved July 3, 1873.]

## CHAPTER XLVIII.

AN ACT IN AMENDMENT OF CHAPTER 247 OF THE GENERAL STATUTES, IN RELATION TO CORONERS, JUSTICES OF THE PEACE AND QUORUM, &c.

## SECTION

1. Coroners' inquests—when holden.

## SECTION

2. Justice of the quorum may hold inquests—when.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The coroner shall take an inquest upon the view of the dead body of any person whose death is supposed to have been occasioned by violence or casualty within the county for which he is commissioned, and in which such dead body shall be found, whenever in his judgment the circumstances are not clear of the cause thereof.

SECT. 2. Any justice of the peace and quorum shall have and exercise the same powers and be entitled to the same compensation as a coroner, whenever the majority of the selectmen of the town in which such dead body is found shall, in writing signed by them, authorize the same: provided, that no coroner shall be present or can conveniently be called.

[Approved July 3, 1873.]

## CHAPTER XLIX.

## AN ACT REQUIRING PUBLIC OFFICES TO BE KEPT OPEN DURING CERTAIN HOURS OF EACH WEEK DAY.

## SECTION

1. Clerks of court, probate registers, etc., to keep their offices open certain hours of the day.

## SECTION

2. Repealing clause: act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Supreme court to prescribe hours during which clerks of courts, etc., shall keep their offices open.

SECTION 1. It shall be the duty of the secretary of state, state treasurer, adjutant general, all clerks of courts, registers of probate, registers of deeds, and all other persons holding public offices and having the custody of public records, by virtue of the constitution or of any law of this state, to keep their respective offices open during such hours of each week day as shall be prescribed by the supreme court in each case. And during such hours, the holder of such office, or some person competent to discharge all of the duties of the office, shall be in attendance.

Repealing clause: act takes effect on its passage.

SECT. 2. All acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect from its passage.

[Approved July 3, 1873.]

## CHAPTER L.

## AN ACT TO AMEND SECTION 12, CHAPTER TWO HUNDRED AND SEVENTY-ONE OF THE GENERAL STATUTES, IN RELATION TO THE SALARY OF REGISTER OF PROBATE OF CARROLL COUNTY.

## SECTION

1. Salary of register of probate.

## SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Salary of register of probate.

SECTION 1. That section twelve, chapter two hundred and seventy-one of the General Statutes, be amended by striking out the word "two" occurring at the end of the ninth line, and the word "twenty" in the tenth line, and inserting in the place thereof the words "two hundred seventy," so that it shall read,—of the register of probate three hundred dollars.

Act takes effect on its passage.

SECT. 2. This act shall take effect upon its passage.

[Approved July 3, 1873.]

## CHAPTER LI.

AN ACT IN AMENDMENT OF SECTION NINE, CHAPTER ONE HUNDRED AND SEVENTY-TWO OF THE GENERAL STATUTES, IN RELATION TO THE TIME OF HOLDING THE PROBATE COURTS IN THE COUNTY OF GRAFTON.

## SECTION

1. Time of holding probate court at Canaan changed.

## SECTION

2. Repealing clause.

3. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That section nine of chapter one hundred and seventy-two of the General Statutes be amended by striking out the word "third," between the words "at Canaan on the" and the words "Tuesday of June and December," and insert in its place the word "first," so that it shall read,—at Canaan on the first Tuesday of June and December.

Time of holding probate court at Canaan changed.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

Repealing clause.

SECT. 3. This act shall take effect from its passage.

Act takes effect on its passage.

[Approved July 3, 1873.]

## CHAPTER LII.

AN ACT RELATING TO THE DISTRIBUTION OF STATUTES AND OTHER STATE PUBLICATIONS.

## SECTION

1. Secretary to distribute state publications to town libraries.

## SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The secretary of state shall annually, as soon as may be after their publication each year, send to the librarian of the Fitzwilliam town library, and every other library association within this state, which, upon the certificate of the selectmen of the town where it is situated, shall appear that there is an organized library association in operation and open to the members thereof at least once a week during the year, one copy of the laws, and one copy of the journals of the senate and house, and also one copy of such other state publications as are usually, or by law, sent to the several states in exchange.

Secretary to distribute state publications to town libraries.

SECT. 2. This act shall take effect from and after its passage.

Act takes effect on its passage.

[Approved July 3, 1873.]

CHAPTER LIII.

AN ACT IN AMENDMENT OF CHAPTER NINETY-NINE OF THE GENERAL STATUTES, RELATING TO THE SALE OF SPIRITUOUS LIQUORS.

SECTION	SECTION
1. Persons convicted of violation of liquor law, not to receive appointment as agent.	3. Doubtful.
2. Agents to submit account to justices of the peace.	4. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

Persons convicted of violation of liquor law, not to receive appointment as agent.

SECTION 1. That section six of chapter ninety-nine of the General Statutes is amended by striking out the words "shall receive" in the sixth line thereof, and substituting the words "or any person who has been convicted of, or has paid any fine or costs, or been imprisoned for, any violation of any provision of said chapter, shall receive or hold."

Agents to submit account to justices of the peace.

SECT. 2. That section ten of said chapter is amended by inserting after the word "them" in the third line thereof the words "or any justice of the peace."

Doubtful.

SECT. 3. That section eleven of said chapter is amended by inserting between the second and third lines thereof the words "or any justice of the peace."

Act takes effect on its passage.

SECT. 4. This act shall take effect from its passage.  
[Approved July 3, 1873.]

CHAPTER LIV.

AN ACT IN AMENDMENT OF CHAPTER 45 OF THE GENERAL STATUTES, RELATING TO PUBLIC CEMETERIES AND PARKS.

SECTION	SECTION
1. Land for cemeteries, parks, etc., may be taken—when, and by whom.	3. Taking land for cemeteries, etc., of lunatics, etc.—proceedings in same as for highways.
2. Cemeteries and parks may be discontinued and dead removed—when, and by whom.	4. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

Land for cemeteries, parks, etc., may be taken—when, and by whom.

SECTION 1. Whenever there is a public necessity for the establishment of any new or the enlargement of any already established cemetery, park, or common, the mayor and aldermen, or the selectmen, upon petition therefor, may lay out such quantity of land as in their judgment is necessary for establishing or enlarging such cemetery, park, or common, and appraise the damage to the owner: provided, however, that no cemetery shall be laid out within twenty rods of any dwelling-house, store or other place of business, without the consent of the owner or owners of the same: and all pro-

ceedings thereupon, and for obtaining increased damages in case the owner is dissatisfied, and return and record of such proceedings, shall be the same as in the case of highways laid out by them.

SECT. 2. Whenever there is a public necessity for the discontinuance of any cemetery, park, or common, and the removal of the dead bodies or remains of persons buried in any cemetery, and any town by a vote of three fourths of its voters, or any city by a vote of three fourths of its city government, shall vote in favor of such discontinuance or removal, such cemetery, park, or common may be discontinued, upon like notice, proceedings, return, and record, and subject to the same right of appeal as in case of the discontinuance of highways; and the mayor and aldermen, or selectmen, may disinter all the remains of persons buried in such public cemetery, and reinter the same in some suitable cemetery, such disinterment and reinterment to be done prudently and with all proper care and attention,—all monuments, gravestones, and other appurtenances attached to the grave being carefully removed and replaced with as little injury as the nature of the case will admit, and at the expense of said town or city; and, in case of injury to any such monument, gravestone, or other appurtenance, the town or city shall pay all damages therefor; and all proceedings relating to such removal of dead bodies and other things aforesaid, and for obtaining increased damages in case any person is dissatisfied, shall be the same as in the case of the discontinuance of highways, and subject to the same right of appeal; and such reinterment shall be made as aforesaid, at the expense of said city or town, in any public cemetery within such city or town, and in such unoccupied part of said cemetery as shall be designated by the nearest surviving relatives of the deceased person whose remains are removed.

Cemeteries and parks may be discontinued and dead removed—when, and by whom.

SECT. 3. If the owner of any land, selected by any city or town for the purpose of a cemetery, park, or common, be a lunatic, non compos, minor, or unknown, like notice and proceedings shall be had thereon, and like return and record be made, and the owner shall have the same remedy, in case he is dissatisfied with the selection of such land or the damages awarded, as if said land were laid out for a highway.

Taking land for cemeteries, etc., of lunatics, etc.—proceedings in same as for highways.

SECT. 4. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect upon its passage.

Act takes effect on its passage.

[Approved July 3, 1873.]

## CHAPTER LV.

### JOINT RESOLUTION IN FAVOR OF EXETER SAVINGS BANK.

Tax of 1 per cent. for 1873 remitted to Exeter Savings Bank.

*Resolved by the Senate and House of Representatives in General Court convened:*

Whereas, the Exeter Savings Bank, by the defalcation of its treasurer, has lost upwards of one quarter part of its deposits; and

whereas, said deposits were to a large extent the property of widows and orphans and poor people who had all their property and savings deposited in said bank ; and whereas, said bank has been enjoined from doing business, and its affairs are now being wound up by assignees appointed by the supreme judicial court, and is subjected to a large loss of interest and heavy expenses on account of said defalcation, and the winding up of its affairs :—

Tax of 1 per cent. for 1873 remitted to Exeter Savings Bank.

The tax of one per cent. on the deposits and accumulations in said bank, on the first day of April, 1873, payable to the state treasurer on or before the fifteenth day of June, A. D. 1873, be, and the same hereby is, remitted to said Exeter Savings Bank ; and that the state treasurer be, and hereby is, authorized and instructed, in case said tax has been paid into the state treasury, to refund the same to the said Exeter Savings Bank.

[Approved June 27, 1873.]

## CHAPTER LVI.

### JOINT RESOLUTION OF THANKS OF THE STATE TO SEVERAL PERSONS.

Thanks of the state to the several persons who have donated portraits of their distinguished ancestors.

*Resolved by the Senate and House of Representatives in General Court convened :*

Thanks of the state to the several persons who have donated portraits of their distinguished ancestors.

That the thanks of the state of New Hampshire be presented to the following named persons for their generous gifts to the state, as follows :

To James S. Thornton for the portrait of Matthew Thornton ; to Alfred Langdon Elwyn for the portrait of John Langdon ; to John Sullivan for the portrait of Gen. John Sullivan ; to Jeremiah Smith for the portrait of Gov. Jeremiah Smith ; to William L. Plumer and Nathaniel G. Plumer for the portrait of William Plumer ; to Frank H. Pierce for the portrait of Benjamin Pierce ; to Charles H. Bell for the portrait of John Bell ; to William Dinsmoor for the portrait of Samuel Dinsmoor ; to Joseph Badger for the portrait of William Badger ; to John A. Page for the portrait of John Page ; to Mrs. Noah Martin for the portrait of Noah Martin ; to Miss Charlotte Stark for the portrait of Gen. John Stark ; to Joseph Cilley for the portrait of Gen. Joseph Cilley ; to Bradbury Poor Cilley for the portrait of Gen. Enoch Poor ; to Josiah Bartlett for the portraits of Gov. Josiah Bartlett and Josiah Bartlett, Jr.

Committee to solicit other portraits.

And His Excellency the governor and the honorable council and the secretary of state are hereby constituted, *ex officio*, a committee to solicit in behalf of the state the portraits of those persons who have been prominently identified with the ecclesiastical, civil, and military history of New Hampshire.

[Approved June 27, 1873.]

## CHAPTER LVII.

## JOINT RESOLUTION AUTHORIZING AN APPROPRIATION TO REFRAME THE PORTRAIT OF WASHINGTON, IN THE REPRESENTATIVES' HALL.

Appropriation for reframing portrait of Washington.

*Resolved by the Senate and House of Representatives in General Court convened:*

That the sum of two hundred dollars (\$200) be, and the same is hereby, appropriated, to be expended under the direction of the governor and council in reframing the portrait of Washington, now hanging in the representatives' hall, and that the same be paid out of any money in the treasury not otherwise appropriated, the governor being authorized to draw his warrant therefor.

[Approved June 27, 1873.]

Appropriation  
for reframing  
portrait of  
Washington.

## CHAPTER LVIII.

## JOINT RESOLUTION PROVIDING FOR A SURVEY OF THE BOUNDARY LINE BETWEEN NEW HAMPSHIRE AND MAINE.

Governor to appoint a surveyor to survey line between this state and Maine—appropriation therefor.

WHEREAS, the legislature of the state of Maine has requested the coöperation of this state in surveying and marking the line between the states of Maine and New Hampshire, and has provided for the appointment of surveyor on their part,—therefore,

*Resolved by the Senate and House of Representatives in General Court convened:*

That the governor be authorized to appoint a surveyor on the part of New Hampshire, who shall have power, under his direction and in conjunction with the surveyor appointed on the part of the state of Maine, to ascertain, survey, and mark the dividing line between this state and the state of Maine wherever it may be necessary, and that the sum of two hundred and fifty dollars be, and the same is hereby, appropriated to defray the expense of said survey on the part of the state of New Hampshire; and the governor is hereby authorized to draw so much of said sum as may be necessary for that purpose, from the treasury, by his warrant.

Governor to ap-  
point a survey-  
or to survey  
line between  
this state and  
Maine—appropriation there-  
for.

*Resolved,* That the governor be requested to transmit a copy of the foregoing resolution to the governor of the state of Maine.

[Approved June 27, 1873.]

## CHAPTER LIX.

## JOINT RESOLUTION PROVIDING FOR THE CONTINGENT EXPENSES OF THE GOVERNOR, ETC.

Appropriation for contingent expenses, and for clerk hire in treasury.

*Resolved by the Senate and House of Representatives in General Court convened:*

Appropriation  
for contingent  
expenses, and  
for clerk hire in  
treasury.

That the sum of one thousand dollars be allowed as the contingent fund of the governor ; that the sum of fifteen hundred dollars be allowed for the clerical expenses of the treasury department ; and that the governor may draw his warrant therefor in such sums and at such times as he may deem proper.

[Approved July 1, 1873.]

## CHAPTER LX.

## JOINT RESOLUTION IN RELATION TO THE SALARY OF THE CHAPLAIN OF THE STATE PRISON.

Appropriation for chaplain at prison.

*Resolved by the Senate and House of Representatives in General Court convened:*

Appropriation  
for chaplain at  
prison.

That the sum of eight hundred dollars (\$800) be, and the same is hereby, appropriated as the salary of the chaplain of the state prison for the ensuing year, to be paid out of any money in the treasury not otherwise appropriated ; and that the governor be authorized to draw his warrant therefor.

[Approved July 1, 1873.]

## CHAPTER LXI.

## JOINT RESOLUTION IN FAVOR OF THE AMERICAN ASYLUM AT HARTFORD, AND OF THE PERKINS INSTITUTE AT BOSTON.

Appropriation to pay indebtedness for support of deaf, etc., persons.

*Resolved by the Senate and House of Representatives in General Court convened:*

Appropriation  
to pay indebted-  
ness for support  
of deaf, etc.,  
persons.

That whereas, the state is indebted in the sum of five thousand dollars to the American Asylum at Hartford, Connecticut, for the education and support of indigent deaf and dumb persons during the year 1871, and to the Perkins Institute at Boston for the educa-



tion and support of indigent blind persons during the year 1871, the said sum of five thousand dollars be, and hereby is, appropriated to pay the same ; and the governor is authorized to draw his warrant upon the treasurer therefor.

[Approved July 1, 1873.]

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## CHAPTER LXII.

### JOINT RESOLUTION IN FAVOR OF INDIGENT DEAF, DUMB, AND BLIND PERSONS.

Appropriation for support of deaf, etc., persons.

*Resolved by the Senate and House of Representatives in General Court convened :*

That the sum of four thousand dollars be, and hereby is, appropriated for the support, clothing, and education of the indigent deaf and dumb persons of this state in the asylum at Hartford, Connecticut, for the current year, and the sum of three thousand dollars for the support, clothing, and education of indigent blind persons in this state, at the asylum in Boston, for the current year ; that said sums be expended, as needed, under the direction of the governor, and that he be authorized to draw his warrant upon the treasurer therefor.

Appropriation  
for support of  
deaf, etc.,  
persons.

[Approved July 1, 1873.]

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## CHAPTER LXIII.

### JOINT RESOLUTION IN FAVOR OF THE PRISONERS' AID SOCIETY.

Appropriation to Prisoners' Aid Society.

*Resolved by the Senate and House of Representatives in General Court convened :*

That the sum of two hundred dollars be allowed for the use of the Prisoners' Aid Society ; and the governor is hereby authorized to draw his warrant for the same upon any money in the treasury not otherwise appropriated.

Appropriation  
to Prisoners'  
Aid Society.

[Approved July 3, 1873.]

## CHAPTER LXIV.

## JOINT RESOLUTION RELATING TO REPAIRS ON THE INTERIOR OF THE STATE HOUSE, AND IN STATE HOUSE YARD.

Appropriation to repair state house and yard, etc.

*Resolved by the Senate and House of Representatives in General Court convened:*

Appropriation  
to repair state  
house and yard,  
etc.

That the unexpended balance of the sum of five hundred dollars, appropriated by joint resolution, approved July 4, 1872, for the purpose of laying a concrete floor in the basement of the state house and plastering the floor under the library, may be expended, under the direction of the governor, for repairs on the interior of the state house and in state house yard; and that a further sum, not exceeding eight hundred dollars, is hereby appropriated for the same purpose; and that the governor be authorized to draw his warrant upon the treasury for such sums, or such parts thereof, as may be expended therefor;—also, that His Excellency the governor be requested to cause plans and estimates to be made for constructing six [committee] rooms in the basement of the state house, and report the same to the next legislature.

[Approved July 3, 1873.]

## CHAPTER LXV.

## JOINT RESOLUTION IN BEHALF OF THE MEDICAL SCHOOL OF NEW HAMPSHIRE.

\$5,000 appropriated to Medical School.

*Resolved by the Senate and House of Representatives in General Court convened:*

\$5,000 appro-  
priated to Med-  
ical School.

That the sum of five thousand dollars be, and the same hereby is, appropriated to alter, repair, finish, and furnish the buildings of the Medical School of New Hampshire at Hanover; and that the governor be authorized to draw his warrant for the same sum out of any moneys in the treasury not otherwise appropriated.

[Approved July 3, 1873.]

## CHAPTER LXVI.

## JOINT RESOLUTION IN FAVOR OF THE PINKHAM NOTCH ROAD.

Appropriation for repairing road, etc.

*Resolved by the Senate and House of Representatives in General Court convened:*

That the sum of five hundred dollars be, and hereby is, appropriated, to be laid out on that part of the road leading through Pinkham notch, from the south of Gorham to the Glen house, to be expended by an agent appointed by the governor and council, and to be paid out of any money in the treasury not otherwise appropriated; and the governor is hereby authorized to draw his warrant for the same.

Appropriation  
for repairing  
road, etc.

[Approved July 3, 1873.]

## CHAPTER LXVII.

## JOINT RESOLUTION APPROPRIATING FOUR HUNDRED DOLLARS (\$400), TO BE LAID OUT IN REPAIRING THE HIGHWAY LEADING THROUGH THE TOWN OF DIXVILLE.

Appropriation for repairing road, etc.

*Resolved by the Senate and House of Representatives in General Court convened:*

That the sum of four hundred dollars be, and the same hereby is, appropriated out of any moneys in the state treasury not otherwise appropriated, for repairing the highway in the town of Dixville; and that said sum be expended and laid out under the direction of an agent to be appointed by the governor and council.

Appropriation  
for repairing  
road, etc.

[Approved July 3, 1873.]

## CHAPTER LXVIII.

## JOINT RESOLUTION IN FAVOR OF THE STATE LIBRARY AND THE HISTORICAL SOCIETY.

Appropriations to state library and historical society.

*Resolved by the Senate and House of Representatives in General Court convened:*

That the sum of three hundred dollars be appropriated for the state library, to supply deficiencies therein, and defray the expense of binding; and, as the New Hampshire Historical Society is calculated

Appropriations  
to state library  
and historical  
society.

to afford valuable facilities to our citizens in the pursuit of the local and family history of the state, and therefore deserves public encouragement and aid, that the sum of three hundred dollars be appropriated for said society; and that the governor be authorized to draw his warrant therefor out of any money in the treasury not otherwise appropriated.

[Approved July 3, 1873.]

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## CHAPTER LXIX.

### JOINT RESOLUTION MAKING APPROPRIATION FOR REPAIRS OF SUNDRY ROADS.

Appropriation for repairs of roads, etc.

*Resolved by the Senate and House of Representatives in General Court convened :*

Appropriation  
for repair of  
roads, etc.

That the sum of one thousand dollars be, and is hereby, appropriated for repairs of roads in manner following: from the town of Jackson to the Glen house, five hundred dollars; from Sawyer's rock, in the town of Bartlett, to the Crawford house, five hundred dollars: the several sums to be laid out in repairs as aforesaid, under the direction of an agent or agents to be appointed by His Excellency the governor, and that the treasurer of the state be directed to pay the sums at such times and in such manner as His Excellency shall order and direct.

[Approved July 3, 1873.]

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## CHAPTER LXX.

### JOINT RESOLUTION RELATIVE TO THE APPROPRIATION OF MONEY FOR THE FRANCONIA NOTCH ROAD IN LINCOLN.

Appropriation for repair of road.

*Resolved by the Senate and House of Representatives in General Court convened :*

Appropriation  
for repair of  
road.

SECTION 1. That the sum of three hundred dollars be, and the same is hereby, appropriated, to be laid out in building and repairing that part of the road leading through Franconia notch, which lies in the town of Lincoln, out of any money in the treasury not otherwise expended,—the same to be laid out and expended by an agent appointed by the governor and council.

[Approved July 3, 1873.]

## CHAPTER LXXI.

## JOINT RESOLUTION IN RELATION TO LIBRARY OF STATE PRISON.

Appropriation to prison library.

*Resolved by the Senate and House of Representatives in General Court convened :*

That the sum of one hundred (\$100) dollars be, and the same is hereby, appropriated for repairs at the library of the state prison,—Appropriation to prison library. the same to be paid out of any money in the treasury not otherwise appropriated ; and that the governor be authorized to draw his warrant therefor.

[Approved July 3, 1873.]

## CHAPTER LXXII.

## JOINT RESOLUTION IN FAVOR OF THE ROAD BETWEEN THE CRAWFORD HOUSE AND THE EASTERLY LINE OF THE TOWN OF CARROLL.

Appropriation for repair of road in Carroll.

*Resolved by the Senate and House of Representatives in General Court convened :*

That the sum of two hundred dollars be, and hereby is, appropriated, to be laid out on the road between the Crawford house and the easterly line of the town of Carroll, to be expended under the direction of an agent or agents to be appointed by His Excellency the governor ; and that the treasurer be directed to pay the same at such times and in such manner as His Excellency shall direct.

[Approved July 3, 1873.]

## CHAPTER LXXIII.

## JOINT RESOLUTION IN RELATION TO THE GEOLOGICAL AND MINERALOGICAL SPECIMENS COLLECTED BY THE GEOLOGIST FOR THE STATE HOUSE.

Secretary to arrange mineral specimens in state house.

*Resolved by the Senate and House of Representatives in General Court convened :*

That the secretary of state, with the advice and consent of the governor and council, is hereby authorized to cause the geological and mineral specimens collected for the state house to be arranged in suitable cases, and placed in the agricultural rooms in the state house.

[Approved July 3, 1873.]

## CHAPTER LXXIV.

## JOINT RESOLUTION IN FAVOR OF THE REFORM SCHOOL.

Appropriation for reform school.

*Resolved by the Senate and House of Representatives in General Court convened :*

Appropriation  
for reform  
school.

That the sum of two thousand dollars be, and the same hereby is, appropriated for the purpose of furnishing a tool-room, erecting a new stable, and for repairing and improving the barn, and the yard connected with the barn, at the reform school in Manchester,—the same to be paid from any money in the treasury not otherwise appropriated; and that the governor be authorized to draw his warrant therefor.

[Approved July 3, 1873.]

## CHAPTER LXXV.

## JOINT RESOLUTIONS RELATING TO THE ACTION OF CONGRESS IN INCREASING THE SALARIES OF ITS MEMBERS.

Action of congress—increasing pay of its members denounced.

*Resolved by the Senate and House of Representatives in General Court convened :*

Back pay.

That the action of the congress of the United States, and of all others participating culpably in the act, in increasing the salaries of its own members for services during the last two years substantially fifty per cent., deserves the indignant reprobation of every honest citizen, as an act wholly unjustifiable and inexcusable.

Future pay.

*Resolved,* That the action of congress, in increasing the future compensation of its members from five thousand to seven thousand five hundred dollars per annum, while a less flagrant outrage upon justice and decency than the increase of their own pay for past services, was wholly unwarranted and uncalled for, and should be immediately and unconditionally repealed.

Congressmen  
called on to re-  
turn back pay.

*Resolved,* That we call on the senators and representatives in congress from New Hampshire, at the time of the passage of the bill increasing their salaries, to return forthwith to the United States treasury their back pay, unless they have already done so.

Rigid economy  
in disbursement  
of national revenues recom-  
mended.

*Resolved,* That the present condition of the country, overburdened with debt and taxation, demands of the national legislature the most rigid economy in their appropriations, and of every department of the government the utmost fidelity in the collection and disbursement of the national revenues.

[Approved July 3, 1873.]

## CHAPTER LXXVI.

## JOINT RESOLUTION IN REGARD TO THE CENTENNIAL CELEBRATION AT PHILADELPHIA.

New Hampshire cordially takes part in the coming centennial celebration.

*Resolved by the Senate and House of Representatives in General Court convened:*

That the proposed celebration, commemorative of the centennial anniversary of our national independence, meets with the cordial approval and commands the generous support of the people of New Hampshire.

New Hampshire cordially takes part in the coming centennial celebration.

That the state, justly proud of its position as one of the original thirteen, will cheerfully coöperate with her sister states in their efforts to make this celebration worthy of the great event it is intended to commemorate.

[Approved July 3, 1873.]

## CHAPTER LXXVII.

## JOINT RESOLUTION FOR COMPILING A ROLL OF HONOR OF THE OFFICERS AND SOLDIERS WHO DIED OR WERE KILLED IN THE LATE REBELLION.

Roll of honor of deceased officers and soldiers of the late war, authorized.

*Resolved by the Senate and House of Representatives in General Court convened:*

SECTION 1. That the adjutant [general] be authorized to compile a roll of honor, giving the name, rank, regiment, date of muster, date of death, and such other information as the records of his office afford of the officers and soldiers from New Hampshire, who died or were killed during the rebellion, and that the governor draw his warrant for such an amount as shall cover the expense of arranging the same.

Roll of honor of deceased officers and soldiers of the late war, authorized.

[Approved July 3, 1873.]

## CHAPTER LXXVIII.

## JOINT RESOLUTION RELATING TO THE STATE NORMAL SCHOOL.

\$5,000 appropriated to State Normal School.

*Resolved by the Senate and House of Representatives in General Court convened:*

\$5,000 appropriated to state normal school.

That the sum of five thousand dollars be, and the same hereby is, appropriated to the State Normal School, three thousand of which, or so much thereof as is necessary, shall be applied to the payment of teachers' salaries now due, and the remainder to the improvement and repairs of the buildings and grounds of the institution, and the maintenance of the school, as the judgment of the trustees shall determine, and that the same be paid out of any money in the treasury not otherwise appropriated; and the governor is authorized to draw his warrant for the same.

[Approved July 3, 1873.]

## CHAPTER LXXIX.

JOINT RESOLUTION TENDERING A VOTE OF THANKS TO HON. B. F. PRESCOTT,  
SECRETARY OF STATE,

For his laudable efforts in securing portraits of distinguished men.

*Resolved by the Senate and House of Representatives in General Court convened:*

Thanks to Hon.  
B. F. Prescott.

That the thanks of the people of New Hampshire are due to Hon. B. F. Prescott, secretary of state, for his persevering labors in securing portraits, by donation, of revolutionary patriots, governors of the state, and other eminent men, to grace the walls of the state house.

[Approved July 3, 1873.]



## CHAPTER LXXX.

## NAMES CHANGED BY JUDGES OF PROBATE.

## Names changed.

The following changes of names have been legally made by the judges of probate in the counties where the persons reside, namely :

Mary Josephine Brown, of Exeter, takes the name of Mary Josephine Lovering; John A. Perkins, of Exeter, takes the name of John Alfred Perkins Gilman; William Batchelder, of Kensington, takes the name of William Batchelder Blake; William Senior, of Rye, takes the name of Willie Bunker; Sarah E. Hill, of Exeter, takes the name of Sarah E. Crummett; Mina Louisa Walker, of Meredith, takes the name of Mina Louisa Newell; Elisabeth Walker, of Meredith, takes the name of Agnes Elisabeth Roberts; Mabel Cotton, of Gilmanton, takes the name of Mabel Augusta Seavey; Sprague A. Torsey, of Alton, takes the name of Sprague A. Tilton; Abbie A. Elkins, of Laconia, takes the name of Abbie A. Copp; Amanda Crane, of Carroll county, takes the name of Amanda Chamberlain; Mary J. Nutt, of Carroll county, takes the name of Katie May Chamberlain; Melissa D. Chase, of Carroll county, takes the name of Melissa D. Philbrick; John Marsten Chase, of Carroll county, takes the name of John Marsten Philbrick; an infant son of Richard W. and Josephine S. Luther, of Newport, takes, by adoption, the name of William Carrol Varnum; Francis Smith, of Washington, takes the name of Frank Clark Bailey; Henry Meroni Crouch, of Lempster, takes the name of Henry Meroni Bingham.



# PRIVATE ACTS.

## CHAPTER LXXXI.

### AN ACT TO INCORPORATE THE TRUSTEES OF THE HAMPSTEAD HIGH SCHOOL

#### SECTION

1. Corporation established.
2. Its powers and duties.
3. Vacancy in membership—how filled: officers and their duties, etc.

#### SECTION

4. First meeting—how called, etc.
5. Act subject to amendment.
6. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. John Ordway, Tristram Little, William C. Little, Amos Buck, Amos Ring, and Frederick A. Pike, all of Hampstead in the county of Rockingham, and their successors, together with the pastor of the present Congregational society in said Hampstead, for the time being *ex officio*, are hereby incorporated and made a body corporate and politic forever, by the name of the Trustees of the Hampstead High School, with full power and authority to establish, govern, maintain, and administer a high school in said town of Hampstead, open and free to youth of both sexes belonging to said town, impartially and without distinction, subject to the substantial observance of the principles and regulations set forth in the last will of Benjamin D. Emerson, late of West Roxbury, in the state of Massachusetts, as the fundamental constitution of said school, for the maintenance of which he provided a fund in and by said will,—with all the powers and privileges, and subject to all the liabilities incident to corporations of a similar nature.

SECT. 2. Said corporation may receive from said town of Hampstead a conveyance of a lot of land with a school-house thereon, and may hold and improve said land and school-house for the purposes of a high school, as provided in the first section of this act; and said corporation may also receive from the executors of the will of said Emerson, and from any other person or persons, any and all moneys and other property given or bequeathed for the use or benefit of such high school, and all such moneys and other property shall hold and apply according to the directions of the donors or testators by whom the same were given or bequeathed.

SECT. 3. A majority of the members of said corporation for the time being shall constitute a quorum for the transaction of business; but in case the number of members shall at any time be less than four, the whole number of existing members shall be required to

constitute a quorum. In case of the death, removal from Hampstead, resignation, or other inability to act, of any member of said corporation other than the pastor of the before mentioned society, the remaining members shall by ballot elect some inhabitant of said Hampstead to fill the vacancy. Said corporation shall elect a clerk, who shall be sworn to the faithful discharge of his duties, and shall keep a full record of all the doings of the corporation, and also a treasurer, who shall give bond with sufficient sureties for the safe keeping of the funds of the corporation. No member of the corporation shall receive any compensation for his services. The school established and maintained by said corporation shall be at all times subject to the visitation and examination of the school committee of Hampstead, and of any school commissioner of the state. The members of said corporation shall elect one of their own number as president, who, whenever present, shall preside at all meetings of the corporation. In his absence, a president *pro tempore* shall be chosen to preside at any meeting.

First meeting—  
how called, etc.

SECT. 4. John Ordway, Tristram Little, and William C. Little, or any two of them, may call the first meeting of said corporation, by giving written or personal notice of the time, place, and objects thereof to each of the other members two days at least prior thereto, at which meeting, or any adjournment thereof, the time and place of the annual meeting and the mode of calling future meetings may be determined, by-laws may be adopted, and any other business relating to the organization or interests of the corporation may be transacted.

Act subject to  
amendment.

SECT. 5. This act shall be subject to such amendments as the legislature may deem expedient.

Act takes effect  
on its passage.

SECT. 6. This act shall take effect upon its passage.  
[Approved June 20, 1873.]

## CHAPTER LXXXII.

### AN ACT IN ADDITION TO AN ACT TO INCORPORATE THE HOWARD BENEVOLENT SOCIETY AT PORTSMOUTH.

#### SECTION

1. Howard Benevolent Society authorized to take and hold real estate.

#### SECTION

2. Act subject to repeal.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

Howard Benevolent Society authorized to take and hold real estate.

SECTION 1. That the Howard Benevolent Society at Portsmouth may take and hold, for the purpose specified in their act of incorporation, real and personal estate to any amount not exceeding one hundred thousand dollars, anything in the act of incorporation to the contrary notwithstanding.

Act subject to  
repeal.

SECT. 2. This act, and the act of which the same is an amendment, shall at all times be subject to alteration, amendment, or repeal by the general court.

[Approved June 27, 1873.]

CHAPTER LXXXIII.

AN ACT TO INCORPORATE THE LACONIA MANUFACTURING COMPANY.

SECTION

- 1. Corporation established.
- 2. Its powers defined.
- 3. Capital stock.

SECTION

- 4. Meetings and officers.
- 5. Subject to repeal.
- 6. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Isaac Taylor, Eugene H. Sampson, Gayton P. Loring, Robert M. Bailey, Benjamin J. Cole, George W. Stevens, and Richard Gove, their associates, successors, and assigns, are hereby incorporated and made a body politic and corporate by the name of the Laconia Manufacturing Company, with all the powers and privileges and subject to all the liabilities incident to corporations of a similar nature.

Corporation established.

SECT. 2. Said corporation is authorized and empowered to commence, establish, and carry on the business of manufacturing fabrics of cotton and wool, or either of them, and the necessary machinery therefor, together with such other branches of manufacture as from time to time may be necessarily or conveniently connected therewith, in the towns of Laconia and Gilford in the county of Belknap, or in either of said towns; and for that purpose may acquire, hold, manage, and alienate the mills, machinery, and other property of the Belknap Mills corporation, and such other real and personal estate as may be deemed advisable, not exceeding in value the sum of five hundred thousand dollars in the whole. The mortgagees and other creditors of said Belknap Mills may take and hold stock in said corporation to the amount of the value of their respective claims.

Its powers defined.

SECT. 3. The capital stock of said corporation shall consist of such sum as the corporation may determine, not exceeding five hundred thousand dollars, and shall be divided into shares of one hundred dollars each. And any of said shares may be issued by said corporation to the vendors of any of the mills, machinery, or other property now owned by the Belknap Mills, or of any of the claims of the mortgagees or other creditors of said Belknap Mills, in such amount as shall be mutually agreed upon by said corporation and said vendors, respectively, in payment for said property or claims, and the capital of said corporation, to the extent of the amount of the shares of stock so issued, shall, to all intents and purposes, be deemed and taken to have been paid in by the conveyance and assignment to said corporation of the property and claims so purchased, and the stock so issued shall not be liable to any further assessment by reason of the same not having been paid in in cash.

Capital stock.

SECT. 4. Either of the corporators named in this act may call the first meeting of said corporation, by giving written or personal notice of the time, place, and objects thereof, to each of the other corporators, three days at least prior thereto; at which meeting, or any adjournment thereof, or any subsequent meeting duly holden, all necessary officers may be chosen and their duties prescribed,

Meeting and officers.

by-laws be adopted, and such other business be transacted as will best promote the success of the corporation.

Subject to re-  
peal.

SECT. 5. The legislature may alter, amend, or repeal this act, or any of its provisions, whenever in their opinion the public good requires it.

Act takes effect  
on its passage.

SECT. 6. This act shall take effect upon its passage.

[Approved June 20, 1873.]

## CHAPTER LXXXIV.

### AN ACT IN AID OF THE NASHUA, ACTON & BOSTON RAILROAD.

#### SECTION

1. Equipment of railroad provided for by issue of personal bonds of managers, secured by mortgage of rolling stock.
2. Schedule of rolling stock to be filed with trustee of bondholders.

#### SECTION

3. Meetings of bondholders—how called and held.
4. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

Equipment of  
railroad provid-  
ed for by issue  
of personal  
bonds of mana-  
gers, secured by  
mortgage of  
rolling stock.

SECTION 1. That for the purpose of furnishing the necessary equipments for the Nashua, Acton & Boston Railroad, the personal bonds of Edward H. Spalding, John C. Moulton, Henry Parkinson, and Benjamin Saunders, managers of said railroad, duly executed and issued, having thereon the certificate of Cornelius V. Dearborn that such bond is issued in conformity with this act, payable to said Dearborn as trustee of the holder, or bearer, with interest at a rate not exceeding eight per cent. per annum, shall be valid and binding upon the signers thereof, and shall be negotiable to the same extent as their negotiable promissory notes: provided, that the amount of bonds so issued shall not exceed two hundred thousand dollars, nor seventy-five per cent. of the value of the rolling stock furnished for the use of said railroad by the signers of said bonds; and provided further, that said Spalding, Moulton, Parkinson, and Saunders, shall, before the issue of any of said bonds, execute and deliver to said Dearborn, as said trustee, a mortgage of all the locomotive engines and cars of every description owned by them at the time of executing said mortgage and furnished for the use of said railroad, and of all other locomotive engines and cars which may thereafter be furnished by them for its use as security for the payment of the interest and principal of said bonds according to their tenor, which mortgage, when delivered to said Dearborn and recorded in the record-book of mortgages of personal property, in the office of the city clerk of Nashua, shall constitute a valid mortgage lien upon said engines and cars there furnished, and upon such as may thereafter be furnished by said signers for the use of said railroad, for the benefit of the holders of said bonds as against any attachment, claim, or lien made or acquired, subsequent to the recording of said mortgage.

Schedule of  
rolling stock to  
be filed with

SECT. 2. At the time of the delivery of said mortgage, the mortgagors shall deliver to said Dearborn a schedule of the engines and

cars owned by them, furnished for the use of said railroad, containing a brief description thereof, so that the same may be identified, and a like schedule of all engines and cars thereafter furnished by them for the use of said railroad, within thirty days after the same are furnished, which schedules shall be recorded in the office of said city clerk, [and] shall at all times be open to the inspection of any bondholders; and if the mortgagors shall neglect thus to furnish said schedules, the bonds issued by them shall be payable forthwith, and payment thereof may be enforced by suit against the signers, in the same manner as if the same were payable on demand; and in such suit, said engines and cars may be attached in the same manner as if said mortgage had not been given.

trustee of bondholders.

SECT 3. Meetings of the holders of said bonds may be called and held, and like proceedings had at said meetings as provided in chapter CLI of the General Statutes, in the case of railroad mortgages, and said meetings and the proceedings thereof shall be subject to the provisions of that chapter so far as the same are applicable; and in case the interest or principal of said bonds is not paid according to the tenor thereof, the trustee may, by vote of the bondholders, be directed to enforce the mortgage lien for the benefit of the bondholders in proportion to the amount due on their bonds.

Meetings of bondholders—how called and held.

SECT. 4. This act shall take effect upon its passage.

Act takes effect on its passage.

[Approved June 27, 1873.]

## CHAPTER LXXXV.

### AN ACT TO INCORPORATE THE HILLSBORO' MILLS.

#### SECTION

1. Corporation established—limitation of powers.
2. Business to be carried on—capital stock.

#### SECTION

3. Meetings, by-laws, officers.
4. Subject to repeal.
5. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That George Stark, Daniel Staniford, Josiah Gates, Edward Spalding, Solomon Spalding, and Wm. W. Bailey, their associates and successors, be, and they hereby are, incorporated and made a body politic and corporate by the name of the Hillsboro' Mills; and by that name shall be and are hereby invested with all the powers and privileges, and made subject to all the liabilities, contained in the laws of this state applicable to corporations of a similar nature.

Corporation established—limitation of powers.

SECT. 2. Said corporation is hereby authorized to carry on the manufacturing of cotton and woollen goods, and the usual branches of machinery necessary for carrying on the same in the town of Milford in the county of Hillsborough, and may, for that purpose, acquire, by purchase or otherwise, hold, enjoy, and convey such real and personal estate as may be necessary or useful in conducting the business of said corporation, not exceeding in value at any one time

Business to be carried on—capital stock.

the sum of five hundred thousand dollars. The capital stock of said corporation is not to exceed the sum of five hundred thousand dollars, to be divided into shares of one hundred dollars each.

Meetings, by-laws, officers.

SECT. 3. The said George Stark, Daniel Staniford, Josiah Gates, Edward Spalding, Solomon Spalding, and Wm. W. Bailey, or any two of them, may call the first meeting of said corporation, to be holden at any suitable time and place in said Milford, by posting up notices stating the time and place of meeting at two or more public places in said town, at which meeting, or at any adjournment thereof, a clerk shall be chosen, and by-laws for the regulation and government of said corporation, not inconsistent with the constitution and laws of this state, may be established, which by-laws may be altered or amended at any future meeting of said corporation, and may choose all necessary officers or agents for managing the affairs of said corporation, may agree upon the mode of calling future meetings, and may do and transact any business necessary to carry into effect the purposes of said corporation.

Subject to repeal.

SECT. 4. The legislature may at any time alter, amend, or repeal this act, whenever in their opinion the public good requires.

Act takes effect on its passage.

SECT. 5. This act shall take effect from and after its passage.

[Approved June 27, 1873.]

## CHAPTER LXXXVI.

### AN ACT TO CHANGE THE NAME OF THE BAILEY MILLS.

#### SECTION

1. Name changed to Winnepesaukee Mills.

#### SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Name changed to Winnepesaukee Mills.

SECTION 1. The Bailey Mills, a corporation duly established by the law of the state, approved July 5, 1867, shall from and after the passage of this be called and known as the Winnepesaukee Mills.

Act takes effect on its passage.

SECT. 2. This act shall take effect upon its passage.

[Approved June 27, 1873.]



## CHAPTER LXXXVII.

## AN ACT TO INCORPORATE THE EPPING SAVINGS BANK.

## SECTION

1. Corporation constituted; its powers.
2. Location; deposits regulated.
3. Limitation as to real estate.
4. Limitation of membership; quorum; by-laws.

## SECTION

5. First meeting—how called.
6. Subject to repeal.
7. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

SECTION 1. That Joseph C. Burley, B. W. Hoyt, W. R. Bunker, H. B. Burnham, R. H. Smith, J. H. Stearns, John H. Pike, John L. Folsom, David Stickney, C. H. Norris, W. N. Dow, John J. Lane, William L. Plumer, J. E. Prescott, be, and they hereby are, constituted a corporation by the name of Epping Savings Bank; and they, and such others as shall be duly elected members of said corporation at the annual meeting thereof, according to such by-laws as may be hereafter established, shall be and remain a body politic and corporate by said name, from the passage of this act, and shall be vested with all the powers and privileges, and subject to all the liabilities of corporations of a similar nature.

SECT. 2. Said corporation shall be located in the town of Epping, and shall be capable of receiving, from any person or persons disposed to enjoy the advantages of said bank, any deposit or deposits of money, and to use, manage, and improve the same for the benefit and best advantage of the person or persons by or for whom the same shall be deposited respectively; and the net income and profit of all deposits of money secured by said corporation shall be paid out and distributed in just proportion among the several persons by and for whom the said deposits have been made; and all such deposits may be withdrawn by the persons entitled thereto, at such reasonable times and in such manner as said corporation in its by-laws may direct and appoint, or according to such lawful conditions and limitations as the depositors, agreeably to the regulations of said corporation, may have respectively prescribed and annexed to their deposits.

SECT. 3. Said corporation shall be capable of receiving and holding such buildings and real estate as shall be necessary and convenient for managing their affairs,—provided that such real estate, held at any and all times for the purpose aforesaid, shall not exceed in value, at the time of the purchase or acceptance thereof by said corporation, the sum of five thousand dollars; and the said corporation shall be further able to take, hold, and dispose of any real estate whatever, which may be *bona fide* conveyed to or taken by said corporation in satisfaction or discharge of debts, demands, or liabilities which shall have been previously contracted or incurred.

SECT. 4. The number of members of said corporation shall not exceed fifty at any one time. Any number not less than seven shall constitute a quorum for the transaction of business at the annual and other meetings of the members of the corporation,—provided

that such meeting shall have been duly notified in conformity to the by-laws of said corporation. Said corporation shall have power to make such by-laws as may be necessary and proper for the management of the affairs of the institution,—provided, however, they are not repugnant to the constitution and laws of the state.

First meeting—  
how called.

SECT. 5. The three persons first named in this act, or any two of them, are hereby authorized to call the first meeting of said corporation, by giving personal notice to the corporators herein named of the time and place of said meeting, at least ten days before the time of said meeting.

Subject to re-  
peal.

SECT. 6. The legislature may at any time alter, amend, or repeal this act, whenever in their opinion the public good requires it.

Act takes effect  
on its passage.

SECT. 7. This act shall take effect from and after its passage.  
[Approved June 27, 1873.]

## CHAPTER LXXXVIII.

### AN ACT TO INCORPORATE THE MANCHESTER TURNVEREIN AND GYMNASTICAL SCHOOL.

#### SECTION

1. Corporation established: its purpose and powers.
2. May hold real estate.

#### SECTION

3. First meeting—how called.
4. Subject to repeal.
5. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Corporation es-  
tablished: its  
purpose and  
powers.

SECTION 1. That Ferdinand Riedel, Robert Hoppe, Charles Nallgey, Louis Hoffarth, and Edward Zeizel, their associates and successors, are hereby constituted a body politic and corporate by the name of the Manchester Turnverein and Gymnastical School, for the purpose of promoting intellectual and physical culture, with all the powers and privileges, and subject to all the duties, restrictions, and liabilities by law incident to corporations of a similar nature.

May hold real  
estate.

SECT. 2. Said corporation may, for the purpose aforesaid, purchase and hold real and personal estate to an amount not exceeding five thousand dollars.

First meeting—  
how called.

SECT. 3. The two persons first named in this act may call the first meeting of the corporation by giving a personal notice to each of the grantees named of the time and place of meeting, ten days at least before such day of meeting.

Subject to re-  
peal.

SECT. 4. The legislature may at any time alter, amend, or repeal this act, whenever in their opinion the public good requires it.

Act takes effect  
on its passage.

SECT. 5. This act shall take effect from its passage.  
[Approved June 27, 1873.]

CHAPTER LXXXIX.

AN ACT TO DISANNEX THE HOMESTEAD OF CHARLES C. HAYES, OF ROLLINSFORD, FROM SCHOOL DISTRICT NUMBER FIVE, AND ANNEX THE SAME TO SCHOOL DISTRICT NUMBER FOUR, IN SAID TOWN.

SECTION

1. Homestead disannexed from one district and annexed to another.

SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

SECTION 1. The homestead of Charles C. Hayes, of Rollinsford, and the taxable property thereon, are hereby disannexed from school district number five, and annexed to school district number four, in said Rollinsford, for school purposes.

Homestead disannexed from one district and annexed to another.

SECT. 2. This act shall take effect on its passage.

Act takes effect on its passage.

[Approved June 27, 1873.]

CHAPTER XC.

AN ACT TO INCORPORATE THE FOREST MILLS COMPANY.

SECTION

1. Corporation established: its powers.  
2. Business to be carried on; location; limitation as to real estate.  
3. Capital stock.

SECTION

4. First meeting.  
5. Subject to repeal.  
6. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

SECTION 1. That Josiah G. Graves, Theodore H. Wood, John G. Kimball, Alfred W. Snow, Gilman C. Shattuck, John B. Dane, Charles Hesselton, Benjamin F. Clark, John K. Hall, and Edward Morse, their associates and successors, be, and they are, incorporated and made a body corporate and politic by the name of the Forest Mills Company, and by that name may sue and be sued, prosecute and defend, to final judgment and execution, and be known and distinguished in all their acts and proceedings, and shall be, and hereby are, invested with all the powers and privileges, and made subject to all the liabilities incident to corporations of a similar nature.

Corporation established: its powers.

SECT. 2. That said corporation be authorized to carry on the manufacturing of cotton and woollen goods, furniture, and the usual branches of machinery necessary for carrying on the same, and all articles that are usually made from wood, iron, steel, clay, wool, cotton, silk, or flax, at Wilton in the county of Hillsborough, and may purchase, hold, improve, or sell real estate to an amount not exceeding one hundred and fifty thousand dollars.

Business to be carried on; location; limitation as to real estate.

SECT. 3. The capital stock of said corporation shall not exceed Capital stock.

two hundred thousand dollars, and be divided into shares of one hundred dollars each.

First meeting.

SECT. 4. That any three of the persons above named may call the first meeting of said corporation, to be holden at any suitable time and place, by publishing a notice thereof in some newspaper published in the county of Hillsborough aforesaid, seven days at least [prior] thereto.

Subject to repeal.

SECT. 5. The legislature may alter, amend, or repeal this act, whenever in their opinion the public good shall require it.

Act takes effect on its passage.

SECT. 6. This act shall take effect from and after its passage.  
[Approved June 27, 1873.]

## CHAPTER XCI.

### AN ACT RELATING TO SEWERAGE IN THE CITY OF CONCORD.

#### SECTION

1. City councils may establish sewerage precincts, and fix their boundaries; sewers—by whom constructed; expense thereof—how paid; regulation as to entering.

#### SECTION

2. Expense of sewers heretofore laid to be refunded to land-owners who have been assessed therefor.
3. Money received for entering sewers, to be expended for sewerage purposes only.
4. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

City councils may establish sewerage precincts, and fix their boundaries; sewers—by whom constructed; expense thereof—how paid; regulation as to entering.

SECTION 1. The city councils of the city of Concord shall have full power and authority by ordinance to establish from time to time, within the limits of said city, such number of sewerage precincts as they shall judge necessary for the public convenience or the preservation of the public health, and to fix the boundaries thereof, and the same to enlarge, modify, define, and alter, as the public interests and the increasing population of said city may require; and within any precinct so established, the mayor and aldermen of said city may lay, make, maintain, and repair all such main public drains or common sewers as they may deem necessary for the public accommodation, or to preserve the health of the inhabitants,—all such public drains or sewers to be the property of said city; and the expense of making, maintaining, and repairing such public drains or sewers shall be defrayed by taxation upon the taxable inhabitants and property of such precinct, to be assessed and collected in the same way and manner as is now by law provided for assessing and collecting taxes within the gas precinct of said city. And said city councils may, by ordinance, prescribe from time to time the terms of entering said public drains or sewers by the sewers of private individuals or corporations.

Expense of sewers heretofore laid to be refunded to land-owners who have been assessed therefor.

SECT. 2. The expense of all main drains or common sewers heretofore constructed within the limits of any precinct that may be established under the provisions of this act, so far as the same has been defrayed by assessments collected from land-owners benefited or supposed to be benefited thereby, shall be repaid to such land-

owners in such sums as the board of mayor and aldermen may deem equitable, by taxation upon the taxable inhabitants and property of such precinct, to be assessed and collected in the manner aforesaid: provided, however, that the principal only of such collected assessments shall, in any case, be refunded to such land-owners; and provided further, that any person who has heretofore entered any such main drain or common sewer by his private drain, shall pay for that privilege, and the continuance thereof, such sum as said board may determine to be just and equitable, which sum shall be deducted from the assessment heretofore collected of such person, if any, and the residue only of such assessment shall be repaid to him.

SECT. 3. All sums received for entering main public drains or common sewers, hereafter constructed within any precinct established by virtue of this act, or for entering such drains or sewers heretofore constructed, shall enure to the benefit of such precinct, and be expended in constructing, maintaining, and repairing main drains and common sewers within such precinct, and for no other purpose.

Money received for entering sewers to be expended for sewerage purposes only.

SECT. 4. This act shall take effect upon its passage.  
[Approved June 27, 1873.]

Act takes effect on its passage.

## CHAPTER XCII.

### AN ACT TO INCORPORATE THE SQUAMSCOTT SAVINGS BANK.

#### SECTION

1. Corporation constituted.
2. Location and duties as to deposits.
3. Limitation as to real estate.
4. Quorum; by-laws.

#### SECTION

5. First meeting.
6. Subject to repeal.
7. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That William Conner, Isaac S. Shute, Joseph Janvrin, William G. Perry, Ammi R. Wiggin, Asa B. Lamson, Nathaniel Swasey, Charles Egan, Joseph W. Merrill, Joseph T. Porter, Jacob Carlisle, George W. Fernald, Wells W. Healey, Frank B. Cram, Peter G. Tilton, George C. Brown, John S. Cram, Benjamin F. La Bree, Samuel Morrill, David Jewell, Frederic Robinson, Robert Rowe, Ira Blake, William Rowe, Weare N. Shaw, Henry C. Tuck, John A. Blake, Daniel C. Hook, Benning S. Scribner, Benjamin P. Webster, Jonathan Robinson, Amos Paul, Hollis Pease, Obadiah Dustin, Moses Marsh, James M. Sanborn, B. K. Webster, Nathaniel E. Tuck, Warren Sanborn, Samuel Webster, Samuel E. Woodman, Jesse P. Marshall, Amos C. Chase, Jonathan P. Robinson, John S. Hobbs, Charles W. Healey, James E. Odell, Caleb Wiggin, and Phineas Chase, be, and they hereby are, constituted a corporation by the name of the Squamscott Savings Bank; and they, and such others as shall be duly elected members of said corporation at the annual

Corporation constituted.

meeting, according to such by-laws as may be hereafter established, or may become members in accordance with the provisions of said by-laws, shall be and remain a body politic and corporate by said name from the passage of this act, and shall be vested with all the powers and privileges, and subject to all the liabilities, of corporations of a similar nature.

Location and  
duties as to de-  
posits.

SECT. 2. Said corporation shall be located in the town of Exeter, and shall be capable of receiving from any person or persons disposed to enjoy the advantages of said bank any deposit or deposits of money, and to use, manage, and improve the same for the benefit and best advantage of the person or persons by or for whom the same shall be deposited respectively; and the net income and profit of all deposits of money secured by said corporation shall be paid out and distributed in just proportion among the several persons by and for whom the said deposits have been made; and all such deposits may be withdrawn by the persons entitled thereto, at such reasonable times and in such manner as said corporation in its by-laws may direct and appoint, or according to such lawful conditions and limitations as the depositors, agreeably to the regulations of said corporation, may have respectively prescribed and annexed to their deposits.

Limitation as to  
real estate.

SECT. 3. Said corporation shall be capable of receiving and holding such buildings and real estate as shall be necessary and convenient for managing their affairs: provided, that such real estate, held at any and all times for the purpose aforesaid, shall not exceed in value at the time of the purchase or acceptance thereof by said corporation the sum of ten thousand dollars; and the said corporation shall be further able to take, hold, and dispose of any real estate whatever which may be conveyed to or taken by said corporation in satisfaction or discharge of debts, demands, or liabilities which shall have been previously contracted or incurred.

Quorum; by-  
laws.

SECT. 4. Any number not less than nine shall constitute a quorum for the transaction of business at the annual and other meetings of the members of the corporation,—provided that such meeting shall have been duly notified in conformity to the by-laws of said corporation. Said corporation shall have power to make such by-laws as may be necessary and proper for the management of the affairs of the institution: provided, however, they are not repugnant to the constitution and laws of the state.

First meeting.

SECT. 5. The three persons first named in this act are hereby authorized to call the first meeting of said corporation, by publishing a notice of the time and place of said meeting in the *Exeter News Letter* at least ten days before the time of said meeting.

Subject to re-  
peal.

SECT. 6. The legislature may at any time alter, amend, or repeal this act, whenever in their opinion the public good requires it.

Act takes effect  
on its passage.

SECT. 7. This act shall take effect from its passage.

[Approved June 27, 1873.]

## CHAPTER XCIII.

AN ACT TO DISANNEX THE HOMESTEAD FARM OF GEORGE W. DAVIS FROM SCHOOL DISTRICT No. 6 IN NOTTINGHAM, AND ANNEX THE SAME TO DISTRICT No. 5 IN SAID TOWN, FOR SCHOOL PURPOSES.

SECTION 1. Homestead farm disannexed from one district and annexed to another.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That the homestead farm of George W. Davis, of Nottingham in the county of Rockingham, be disannexed from school district No. 6 and annexed to district No. 5 in said town, for school purposes.

Homestead farm disannexed from one district and annexed to another.

[Approved June 27, 1873.]

## CHAPTER XCIV.

AN ACT TO DISANNEX THE HOMESTEAD OF DANIEL H. REED, OF FITZWILLIAM, FROM DISTRICT NUMBER EIGHT, AND ANNEX THE SAME TO DISTRICT NUMBER FIVE IN SAID FITZWILLIAM.

## SECTION

1. Homestead disannexed from one district and annexed to another.

## SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The homestead of Daniel H. Reed, of Fitzwilliam, on which he now lives, called the "Tower place," and the taxable property thereon, are hereby disannexed from district number eight and annexed to district number five in said Fitzwilliam, for school purposes.

Homestead disannexed from one district and annexed to another.

SECT. 2. This act shall take effect on its passage.

Act takes effect on its passage.

[Approved June 27, 1873.]

## CHAPTER XCV.

AN ACT TO INCORPORATE THE SANDY LAKE WATER COMPANY.

## SECTION

1. Corporation established.  
2. Its purpose, location, and privileges.

## SECTION

3. Powers and duties.  
4. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That Stillman S. Jackman, Henry Parkinson, William S. Weston, John A. Spalding, and James E. Balcom, their associ-

Corporation established.

ates, successors, and assigns, be, and they hereby are, made a body corporate by the name of the Sandy Lake Water Company.

Its purposes, location, and privileges.

SECT. 2. That said corporation is hereby authorized and empowered to construct, manage, and own suitable water-works, for the purpose of supplying water for extinguishing fires, for the use of the citizens, and for such other purposes as water may be required, in that part of the city of Nashua situated upon and south of Hollis street; and for that purpose may take, purchase, and hold real estate, not exceeding in value the sum of sixty thousand dollars, and may erect, construct, and maintain such dams, reservoirs, and buildings as may be necessary for said water-works, dig ditches, break up ground in the highways and streets of said city, place and maintain pipes therein for conducting water, and relay and change the same from time to time, due regard being paid to the safety of the citizens and the security of the public travel; and is hereby authorized to make such contracts, establish such tolls, and charge such rents for the use of water as shall be deemed reasonable.

Powers and duties.

SECT. 3. Said corporation shall be subject to all the liabilities, duties, powers, and privileges incident to corporations of a similar nature.

Act takes effect on its passage.

SECT. 4. This act shall take effect from and after its passage. [Approved June 27, 1873.]

CHAPTER XCVI.

AN ACT TO INCORPORATE THE LADIES' HUMANE SOCIETY OF PORTSMOUTH.

SECTION

- 1. Corporation constituted.
- 2. Its purpose.
- 3. Limitation as to real estate.

SECTION

- 4. First meeting—how called.
- 5. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Corporation constituted.

SECTION 1. That Sarah Hooper, Elvira H. Mendum, Mary R. Lyman, and others, who at present are members of a voluntary society under the name of the Ladies' Humane Society, with their associates and successors, be, and hereby are, made a body corporate by the name of the Ladies' Humane Society, and by that name may sue and be sued, prosecute and defend, to final judgment and execution, and are hereby vested with all the powers, privileges, and immunities, and subject to all the liabilities incident to a corporation of like nature.

Its purpose.

SECT. 2. Said corporation is empowered to furnish clothing for the needy and destitute, either by purchase, or by the manufacture from materials purchased by them.

Limitation as to real estate.

SECT. 3. Said corporation may hold and possess real or personal property, not exceeding five thousand dollars in value, and shall be located at Portsmouth in said state.

First meeting—how called.

SECT. 4. Sarah Hooper, Elvira H. Mendum, and Mary R. Lyman, or any two of them, are authorized to call the first meeting of said



corporation, by notice published in any newspaper printed in said Portsmouth, the last publication being at least one week previous to said meeting.

SECT. 5. This act shall take effect on its passage.

Act takes effect  
on its passage.

[Approved June 27, 1873.]

## CHAPTER XCVII.

### AN ACT RELATING TO SCHOOL DISTRICTS NUMBERED TWO AND SEVEN, IN THE TOWN OF JAFFREY.

#### SECTION

1. School districts authorized to procure apparatus.

#### SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. Districts numbered two and seven, in the town of Jaffrey, are hereby authorized to raise money, and expend the same to furnish apparatus for the Conant High School in said districts.

School districts  
authorized to  
procure apparatus.

SECT. 2. This act shall take effect on its passage.

Act takes effect  
on its passage.

[Approved June 27, 1873.]

## CHAPTER XCVIII.

### AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT TO INCORPORATE THE PITTSFIELD AQUEDUCT COMPANY," PASSED JUNE SESSION, 1870.

#### SECTION

1. Capital stock increased.

2. Stockholders may issue limited amount of bonds.

#### SECTION

3. Repealing clause.

4. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That the second section of the act to incorporate the Pittsfield Aqueduct Company, approved July second, one thousand eight hundred and seventy, be amended by striking out the words "twenty-five" before the word "thousand," and inserting instead thereof the word fifty, so that the said section shall read,—The capital stock of said corporation shall consist of such number of shares, not exceeding fifty dollars each, as may be from time to time determined by the directors of said corporation, not exceeding in the whole the sum of fifty thousand dollars.

Capital stock  
increased.

SECT. 2. That the stockholders, by a majority vote, have a right to issue bonds upon the stock not exceeding in amount twenty thousand dollars, of such denomination as they may deem expedient.

Stockholders  
may issue limited  
amount of  
bonds.

SECT. 3. All acts or part of acts inconsistent with this act are hereby repealed.

Repealing  
clause.

SECT. 4. This act shall take effect upon its passage.

Act takes effect  
on its passage.

[Approved June 27, 1873.]

## CHAPTER XCIX.

AN ACT TO AUTHORIZE THE PORTSMOUTH, GREAT FALLS, AND CONWAY RAILROAD TO CONNECT WITH THE PORTSMOUTH AND DOVER RAILROAD.

## SECTION

1. Connection with another road authorized.
2. Powers and duties.

## SECTION

3. Act in force five years, and takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Connection with another road authorized.

SECTION 1. The Portsmouth, Great Falls, and Conway Railroad is hereby authorized and empowered to locate and construct, and thereafter maintain and operate, a railroad from any point on the line of their present road in the town of Somersworth, through said town of Somersworth and the towns of Rollinsford and Dover, either or all of them, to a point on the Portsmouth and Dover Railroad, at or near the termination thereof in said Dover, and so as to connect therewith, and for that purpose is hereby authorized and empowered to increase its capital stock the amount of two hundred thousand dollars.

Powers and duties.

SECT. 2. Said corporation shall have and enjoy all the same rights, powers, and privileges, with regard to the laying out and construction of said new road, the establishment and collection of tolls on passengers and freight transported thereon, the erection of station-houses and other necessary buildings, and in all other respects whatsoever, which by its act of incorporation were granted to it, or which by law it now has with reference to its present road, and shall be subject to all the same liabilities, duties, and restrictions, except as herein provided.

Act in force five years, and takes effect on its passage.

SECT. 3. This act shall be void as to all that part of said new road not constructed and completed within five years from the passage hereof; and this act shall take effect on its passage.

[Approved June 27, 1873.]

## CHAPTER C.

AN ACT TO INCORPORATE THE MOUNT WASHINGTON LODGE OF FREE MASONS.

## SECTION

1. Corporation constituted: powers and duties.
2. Limitation as to property.
3. First meeting.

## SECTION

4. Subject to repeal.
5. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Corporation constituted: powers and duties.

SECTION 1. That Arthur L. Meserve, Samuel D. Thompson, George F. Boston, Edwin C. Stokes, William C. Eastman, William Bragdon, and Joseph Dinsmore, their associates, successors, and assigns, be, and hereby are, made a body politic and corporate,

under the name of the Mount Washington Lodge of Free Masons, for charitable and benevolent purposes; and said corporation may be designated by that name, sue and be sued, defend and be defended, have and use a common seal, and establish all by-laws and regulations which may be necessary to carry out the purposes of this act, and [shall be vested with] all the powers and privileges, and be subject to all the liabilities by law incident to corporations of a similar nature.

SECT. 2. Said corporation may purchase, take, and hold, by deed, gift, bequest, devise, or otherwise, real and personal estate for the purpose of said corporation, to an amount not exceeding ten thousand dollars, and may improve, use, sell, and convey, or otherwise dispose of the same at pleasure. Limitation as to property.

SECT. 3. Said Arthur L. Meserve and Samuel D. Thompson are authorized to call the first meeting of the members of said corporation at such time and place as they shall see fit, within thirty days after passage of this act, by publication in the *Granite State News*. First meeting

SECT. 4. The legislature may at any time amend or repeal this charter, whenever the public good may require it. Subject to repeal.

SECT. 5. This act shall take effect on its passage.

Act takes effect on its passage.

[Approved June 27, 1873.]

## CHAPTER CI.

### AN ACT TO INCORPORATE THE ROCHESTER GAS-LIGHT COMPANY.

#### SECTION

1. Name and powers of corporation.
2. Its purpose and capital stock.
3. Restriction of rights.

#### SECTION

4. Meetings, by-laws, officers.
5. Charter subject to legislative control.
6. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That Charles S. Whitehouse, Ebenezer G. Wallace, Albert W. Hayes, Franklin McDuffee, Henry W. Locke, Betton W. Sargent, Charles B. Gafney, J. Thorn Dodge, Stephen D. Wentworth, William Rand, John Legro, Charles W. Folsom, and Arthur D. Whitehouse, their associates and successors, are hereby constituted a body politic and corporate by the name of the Rochester Gas-Light Company, and are hereby vested with all the privileges, and subject to all the restrictions and liabilities, by law incident to corporations of a similar nature. Name and powers of corporation.

SECT. 2. The said corporation is authorized to hold all such real and personal estate as may be necessary and proper to enable them to carry on the manufacture, distribution, and sale of gas, for the purpose of lighting the streets, stores, shops, and other buildings in the town of Rochester, and to erect such buildings and works, and to construct such furnaces, purifiers, reservoirs, gas-holders, and other appliances as may be requisite and proper for said purposes: provided, the whole amount of capital stock of said company shall Its purpose and capital stock.

not exceed forty thousand dollars, which stock shall be divided into shares of not more than one hundred dollars each.

Restriction of rights.

SECT. 3. Said corporation shall have the right to lay gas pipes in any of the public highways in the town of Rochester and county of Strafford, the consent of the selectmen of said town having first been obtained therefor, and to relay and repair the same as circumstances may require.

Meetings, by-laws, officers.

SECT. 4. Chas. S. Whitehouse, Ebenezer G. Wallace, and Albert W. Hayes, or either two of them, may call the first meeting of said corporation, by publishing notice thereof in some newspaper published in the county of Strafford ten days at least before the day of meeting, at which meeting, or any subsequent one duly called, by-laws may be adopted, and all necessary officers chosen for managing the affairs of said corporation.

Charter subject to legislative control.

SECT. 5. The legislature may at any time alter, amend, or repeal this act, whenever in their opinion the public good requires it.

Act takes effect on its passage.

SECT. 6. This act shall take effect on and after its passage.

[Approved June 27, 1873.]

## CHAPTER CII.

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT TO ESTABLISH A FIRE DISTRICT IN PITTSFIELD," PASSED JUNE SESSION, ONE THOUSAND EIGHT HUNDRED AND SEVENTY.

### SECTION

1. Limits of fire district extended.
2. Repealing clause.

### SECTION

3. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Limits of fire district extended.

SECTION 1. That the second section of the "Act to establish a fire district in Pittsfield," passed June session, one thousand eight hundred and seventy, be, and is hereby, repealed, and instead thereof the following be inserted:

Be it enacted that that portion of Pittsfield village lying west of Suncook river may be included in said fire district if the selectmen shall deem it expedient, and that the boundaries of said fire district be fixed by the selectmen of the town.

Repealing clause.

SECT. 2. All acts or part of acts inconsistent with this act are hereby repealed.

Act takes effect on its passage.

SECT. 3. This act shall take effect upon its passage.

[Approved June 28, 1873.]

## CHAPTER CIII.

## AN ACT TO INCORPORATE THE MECHANICS HALL ASSOCIATION OF NEW LONDON.

## SECTION

1. Name and powers of corporation.
2. Its purpose.
3. Meetings, by-laws, officers.

## SECTION

4. Subject to repeal, etc.
5. Act takes effect on its passage. <sup>1</sup>

*Be it enacted by the Senate and House of Representatives in General Court convened :*

SECTION 1. That George E. Shepard, Richard O. Messer, Charles C. Phillips, J. Sherman Phillips, Charles Folsom, Nahum T. Greenwood, Luther McCutchins, James H. Burpee, Austin W. Messer, Almon B. Whittier, Edwin A. Jones, Francis E. Chase, Colby, Nichols & Co., Green Johnson & Son, and Edgar L. Wheeler, their associates, successors, and assigns, be, and hereby are, made a body politic and corporate, by the name of Mechanics Hall Association of New London, and by that name may sue and be sued, prosecute and defend, to final judgment and execution, in any court of law or equity, and shall be, and hereby are, vested with all the rights and privileges, and subject to all the liabilities, incident to corporations of a similar nature. Name and powers of corporation.

SECT. 2. Said corporation is hereby empowered to establish, erect, and maintain a public building called Mechanics Hall, in Scytheville, New London, county of Merrimack, and for that purpose may take, acquire, and hold, by gift, bequest, or otherwise, real and personal estate to an amount not exceeding ten thousand dollars. Its purpose.

SECT. 3. Said corporation may, at any meeting duly notified and holden, make such regulations and by-laws not repugnant to the laws and constitution of this state, for the management of the interests and concerns of said corporation, and may appoint such and so many officers and agents as they may think proper, and prescribe their powers and duties. Meetings, by-laws, officers.

SECT. 4. The legislature may at any time alter, amend, or repeal this charter, whenever in their opinion the public good shall require it. Subject to repeal, etc.

SECT. 5. This act shall take effect from and after its passage.

[Approved June 28, 1873.]

Act takes effect on its passage.

## CHAPTER CIV.

## AN ACT AUTHORIZING THE CITY OF NASHUA TO CONSTRUCT WATER-WORKS.

## SECTION

1. Nashua may construct and maintain, and purchase or take existing water-works.
2. If parties cannot agree on the terms of transfer of existing water-works, mode of transfer prescribed.
3. Damages to be assessed by county commissioners.

## SECTION

4. Board of water commissioners to be appointed: their term of office, compensation, and duties.
5. City may levy taxes, borrow money, and issue bonds to pay expense of works.
6. Act takes effect on its adoption by city councils.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Nashua may construct and maintain, and purchase or take existing water-works.

SECTION 1. The city of Nashua is hereby authorized to construct, maintain, and manage works for supplying the compact part of said city with water for extinguishing fires, and for other uses for which water may be required, and for that purpose may purchase, take, and hold all real estate required therefor, and may erect and maintain such dams, reservoirs, buildings, and other structures as may be necessary therefor, and may dig trenches and break up ground in highways, streets, and other public places, and lay and maintain pipes for conducting water therein, and relay and change the same from time to time, having due regard in the prosecution of said work to the safety and convenience of the public travel: provided, however, that said city shall not proceed under the authority of this act to construct new works for the purpose herein contemplated until the city shall have purchased of the corporation known as the Pennichuck Water-works all the real estate, water-rights, dams, reservoirs, and other structures, steam engines, force-pumps, pipes, and other fixtures of said corporation and constituting their water-works, at a price to be agreed upon or determined by the parties, or until the said city, in case the said purchase cannot be effected by agreement of the parties, shall have taken the same under the authority of this act, and paid or secured the damages for taking the same as hereinafter provided; and when the said estate, rights, and property of the said Pennichuck Water-works shall have been purchased or taken, and the damages therefor paid or secured by said city, as hereinafter provided, the said estate, rights, and property, so purchased or taken, shall be vested in said city, and be held and managed as a part of the water-works of the city, in the same manner and to the same extent as if the same had been originally constructed under the authority of this act.

If parties cannot agree on the terms of transfer of existing water-works, mode of transfer prescribed.

SECT. 2. It shall be lawful for the said corporation, known as the Pennichuck Water-works, to sell and convey, and for the said city to purchase and take a conveyance of the real estate, rights, and property aforesaid of said corporation, and of all their corporate franchises, powers, and privileges under their charter, so far as the same are necessary to be conveyed for the use and enjoyment by the city under such conveyance of the estate, rights, and property aforesaid, to the same extent and in the same manner as the same may be used and enjoyed by said corporation under its charter; but if the same cannot be purchased by the city upon reasonable

terms, then it shall be lawful for said city to take and hold said estate, rights, property, franchises, powers, and privileges, for the purposes of this act, and so far as may be necessary for said purposes, in manner following: that is to say,—the said city shall apply, by petition, to any two justices of the supreme judicial court for the appointment of a committee of three competent and disinterested persons to assess the damages to said corporation for the estate, rights, and property so taken, and the said justices, upon notice to and a hearing of the parties, shall appoint such committee, and certify under their hands said appointment to each of said committee, designating therein the person to act as chairman. The said committee, upon reasonable notice to the parties, shall make examination of the estate, rights, and property aforesaid, and hear the parties; and if, in the opinion of the committee, any of the estate, rights, and property aforesaid are necessary to be taken by said city for the purposes of this act, they shall estimate and assess the damages to said corporation for taking the same, and as soon as may be make report and award of said assessment under their hands, or the hands of a majority of them, to the said justices. They shall set forth in said report, with reasonable certainty, a description by metes and bounds or other particular description of the estate, rights, and property, for taking which the damages are assessed, and shall determine and set forth in said report the time or times for the payment of said damages and the security to be given for such payment. The said justices, on notice to and a hearing of the parties, may accept said report, or for cause reject or recommit the same, and if recommitted, they shall certify to the committee the grounds or causes for recommitment, and a further hearing may be had before the committee, upon due notice to the parties, for the purpose of removing, if it may be, said grounds or causes. If the report is accepted by said justices, whether without or upon a recommitment, it shall be filed in the office of the city clerk of said city, with the certificate of said justices thereon that it is accepted by them; and upon payment or tender by the city to said corporation of the damages so assessed, or of the securities for the payment thereof agreeably to said report, the said estate, rights, and property so described in said report, and for taking which said damages are assessed, shall vest in and be held by said city.

SECT. 3. If, in the opinion of the board of water commissioners, to be appointed as hereinafter provided, the city shall not be able to obtain other lands or water-rights on reasonable terms necessary for said works, or for any enlargement or improvement thereof, including the right to lay, maintain, and relay pipes where required, the said board of water commissioners, in the name and behalf of the city, may apply to the county commissioners for the assessment of damages to the owners of such lands or rights; and if it shall appear to the county commissioners, on notice to the parties and a hearing of all interested, that any lands, rights of water, or rights to lay and maintain pipes, are necessary for the purposes of this act, and cannot be purchased on reasonable terms, they shall assess the damages to the owners for their lands and rights taken and adjudged by them to be required for said works, and shall make and file, in the office of the city clerk of said city, as soon as may be, their award in writing of the damage so assessed, describing by

Damages to be assessed by county commissioners.

metes and bounds, or otherwise describing with reasonable certainty, the land or right for taking which the damages are awarded; and upon payment or tender to the owner of the damages so assessed, the land or right, to the extent described or defined in said award, shall vest in and may be held and used by the city, and the owner shall have the same right of appeal for an increase of damages as is provided by law in the case of land taken for a highway by action of the county commissioners.

Board of water commissioners to be appointed: their term of office, compensation, and duties.

SECT. 4. For the more convenient management of said works, a board of water commissioners, to consist of three persons, shall be appointed by the mayor and aldermen of said city, to hold their office, after the first appointment, for the term of three years,—one to go out of office on the 31st day of December in each year next after the first appointment. The three first appointed shall determine by lot the term for which each shall hold his office. The said commissioners shall be sworn to the faithful discharge of their duties, and shall receive such compensation for their services as the city councils may from time to time prescribe. They shall have the control and management of the construction of said works; shall make or authorize all contracts in behalf of the city in relation thereto; shall direct and superintend the improvements and enlargements of the works; shall manage the works when constructed, establish tolls and rates, and prescribe rules and regulations for the use of the water, and in all things exercise a general superintendence over said works, both in the construction thereof, and in the management and use of the same when constructed.

City may levy taxes, borrow money, and issue bonds to pay expense of works.

SECT. 5. The said city is authorized to levy taxes to defray the expense of said works, and to hire money not exceeding in the whole the sum of four hundred thousand dollars, and to issue therefor the notes, bonds, or other obligations of the city, payable at such times and on such interest as the city councils, at any legal meeting, may determine; and such notes, bonds, or other obligations shall be valid and binding on the city.

Act takes effect on its adoption by city councils.

SECT. 6. This act shall take effect when adopted by the city councils of said city by the passage of a joint resolution to that effect.

[Approved June 28, 1873.]

CHAPTER CV.

AN ACT TO CHANGE THE NAME OF THE MERRIMACK NORMAL INSTITUTE.

SECTION

- 1. Name of institution changed.
- 2. Repealing clause.

SECTION

- 3. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Name of institution changed.

SECTION 1. That the educational institution in the town of Merrimack, incorporated in one thousand eight hundred and forty-nine



by the name of the Merrimack Normal Institute, shall take the name of the McGaw Normal Institute, and shall ever hereafter be known by such name.

SECT. 2. All acts and parts of acts inconsistent herewith are hereby repealed. Repealing clause.

SECT. 3. This act shall take effect from and after its passage.

Act takes effect on its passage.

[Approved July 1, 1873.]

## CHAPTER CVI.

AN ACT ENTITLED AN ACT TO DISANNEX CERTAIN TRACTS OF LAND, OWNED BY CHARLES E. MOSES AND OTHERS, FROM SCHOOL DISTRICT No. 7 IN THE TOWN OF COLUMBIA, AND ANNEX THE SAME TO SCHOOL DISTRICT No. 8 IN COLEBROOK, FOR SCHOOL PURPOSES.

### SECTION

1. Tracts of land disannexed from one district and annexed to another.

### SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

SECTION 1. That so much of lots numbered 13 in ranges 1 and 2, as is now owned by Charles E. Moses ; so much of lots numbered 11 in ranges 1 and 2, as is now owned by Geo. Fairman ; so much of lot numbered 11 in range 1, as is now owned by William C. Douse ; so much of lots numbered 11 in ranges 1 and 2, and of lot numbered 12 in range 1, as is now owned by Asa Merrill & Sons ; so much of lot numbered 13 in range 1, as is now owned by Harvey McAllaster ; so much of lots numbered 14 in ranges 1 and 2, as is now owned by Alvin Arlin ; and so much of lots numbered 12 and 13 in range 1, as is now owned by William Fairman, all of which said tracts of land are situated in Columbia, be disannexed from school district No. 7 in Columbia, and annexed to school district No. 8 in Colebrook, for school purposes. Tracts of land disannexed from one district and annexed to another.

SECT. 2. This act shall take effect on its passage.

Act takes effect on its passage.

[Approved July 1, 1873.]

CHAPTER CVII.

AN ACT TO RATIFY AND CONFIRM THE DOINGS OF THE LEBANON CENTRE VIL-  
LAGE FIRE PRECINCT.

SECTION	SECTION
1. Fire precinct legalized: its powers and du- ties.	2. Precinct authorized to confirm its previous acts.
	3. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General  
Court convened:*

Fire precinct  
legalized: its  
powers and du-  
ties. SECTION 1. The Lebanon Centre Village Fire Precinct is hereby  
recognized and declared to be a fire precinct, duly organized under  
the laws of the state, with all the powers and privileges incident to  
such organizations.

Precinct au-  
thorized to con-  
firm its previ-  
ous acts. SECT. 2. The Lebanon Centre Village Fire Precinct, as now exist-  
ing and organized, is hereby authorized and empowered, at any  
meeting of said precinct duly notified and holden, to ratify and con-  
firm any votes heretofore passed by said precinct; and any action  
heretofore taken by said precinct, and any acts of the officers and  
agents of said precinct heretofore done and performed in pursuance  
of any vote or action of said precinct, and all such votes, actions,  
and acts, when so ratified and confirmed, shall be valid, legal, and  
binding upon said precinct and upon the inhabitants and property  
thereof.

Act takes effect  
on its passage. SECT. 3. This act shall take effect upon its passage.  
[Approved July 1, 1873.]

CHAPTER CVIII.

AN ACT IN AMENDMENT OF THE CHARTER OF THE CITY OF MANCHESTER.

SECTION	SECTION
1. Manchester authorized to aid in erecting a hospital, and provide for its manage- ment.	2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General  
Court convened:*

Manchester  
authorized to  
aid in erecting  
a hospital and  
provide for its  
management. SECTION 1. The city of Manchester may aid, by the appropriation  
of land for a site, and otherwise, in the founding, erecting, and  
support of a hospital within the limits of said city, and appoint a  
board of trustees or managers, if deemed advisable, for the manage-  
ment and government of the same, to be designated in such manner  
and for such a term as the city council may ordain, and make all  
by-laws, rules, and regulations pertaining thereto, which the city  
council may deem expedient.

Act takes effect  
on its passage. SECT. 2. This act shall take effect upon and after its passage.  
[Approved July 1, 1873.]

## CHAPTER CIX.

## AN ACT TO LEGALIZE CERTAIN DOINGS OF SCHOOL DISTRICT No. 3 IN SOMERSWORTH.

## SECTION

1. Action of school district legalized.

## SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

SECTION 1. That chapter six hundred and thirty-one of the laws of one thousand eight hundred and forty-eight, entitled "An Act relating to school district No. three in Somersworth," approved June nineteen, one thousand eight hundred and forty-eight, is, so far as said district is concerned, in full force and unrepealed; and all acts and doings of said district, so far as they depend for validity upon said act, are hereby declared legal and binding.

Action of school district legalized.

SECT. 2. This act shall take effect upon its passage.

Act takes effect on its passage.

[Approved July 1, 1873.]

## CHAPTER CX.

## AN ACT TO INCORPORATE THE SAWYER WOOLLEN MILLS.

## SECTION

1. Corporation constituted: its powers.
2. Its purpose and location; property limitation.
3. Capital stock.

## SECTION

4. First meeting.
5. Subject to statute restrictions.
6. Act takes effect on its passage, and subject to repeal.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

SECTION 1. That Francis A. Sawyer, of Boston, county of Suffolk, and commonwealth of Massachusetts, and Jonathan Sawyer and Charles H. Sawyer, of Dover, county of Strafford, and state of New Hampshire, their associates, successors, and assigns, be, and hereby are, incorporated and made a body politic by the name of the Sawyer Woollen Mills, and by that name may sue and be sued, prosecute and defend, to final judgment and execution, and shall be, and hereby are, vested with all the powers and privileges, and subject to all the liabilities incident to corporations of a similar nature.

Corporation constituted: its powers.

SECT. 2. Said corporation is hereby authorized and empowered to commence, establish, and carry on the business of manufacturing all goods and clothing which may be made in whole or in part of wool, cotton, silk, linen, or any other materials which may be wrought into yarns, woven or felted fabrics,—also the business of making machinery, together with such other branches of manufacture as from time to time may be necessarily or conveniently connected therewith, on or near the Bellamy Bank river in the city of Dover, and the towns of Madbury and Barrington in the county of

Its purpose and location; property limitation.

Strafford,—and for these purposes may build and maintain dams across said Bellamy Bank river, in the above named city and towns, also build and maintain all such flumes, penstocks, canals, and build-ings as the objects of this act may require; and may acquire and hold, or alienate, real and personal estate to an amount not exceed-ing one million of dollars.

Capital stock. SECT. 3. The capital stock of said corporation shall consist of such sum as said corporation shall determine, not exceeding the sum of one million of dollars, to be divided into shares of one hun-dred dollars each.

First meeting. SECT. 4. Either of the corporators named in this act may call the first meeting of said corporation, by giving personal notice to each of the other corporators three days previous to the meeting,—at which meeting, or any subsequent meeting duly holden, all proper officers may be chosen, and their duties prescribed, and by-laws adopted, and all such other business done, and all such other regulations made, as may be meet and proper.

Subject to stat-ute restrictions. SECT. 5. This act shall be subject to all the provisions and restric-tions of the laws of this state in relation to corporations.

Act takes effect on its passage, and subject to repeal. SECT. 6. This act shall take effect and be in force from and after its passage, and may be altered, amended, or repealed, whenever the public good shall require.

[Approved July 1, 1873.]

CHAPTER CXI.

AN ACT TO INCORPORATE THE WILMOT AND KEARSARGE ROAD COMPANY.

SECTION

- 1. Corporation constituted: its powers.
- 2. May build a road: termini thereof fixed.
- 3. Damages for land taken—how assessed.
- 4. Capital stock of the corporation: its officers and their duties.
- 5. May erect toll-gates and collect tolls.

SECTION

- 6. Meetings, directors, by-laws.
- 7. Time for building road limited.
- 8. Corporation authorized to own buildings.
- 9. Charter under control of legislature.
- 10. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Corporation constituted: its powers.

SECTION 1. That John Proctor, John M. Shirley, John C. Morri-son, John S. Thompson, and Jacob B. Rand, their associates, suc-cessors, and assigns, are hereby incorporated and made a body corporate and politic by the name of the Wilmot and Kearsarge Road Company, and by that name may sue and be sued, and have and enjoy all the privileges and powers, and be subject to all the restrictions and limitations, which by law are incident to corpora-tions of a similar nature.

May build a road: termini thereof fixed.

SECT. 2. Said corporation is hereby empowered to lay out, make, and keep in repair, a road leading from some point on the northerly side of Kearsarge mountain deemed most favorable, to the top of said mountain, by such route and in such direction as is most prac-

licable; said road to begin, however, at the Winslow House in the town of Wilmot, and thence to the summit of Kearsarge mountain.

SECT. 3. If said corporation shall not be able to agree with the owners of any land over which said road may be laid out upon the amount of damages to be paid therefor, or if said corporation cannot agree with such owner upon a committee to assess such damages, either party, or, if the owner is unknown, said corporation, may apply by petition to the supreme judicial court for the county in which such land may be situated, and said court, after due notice to the parties, shall refer the same to the county commissioners for said county, who shall, upon due notice, assess damages, and report the same to said court,—and judgment upon said report shall be final and conclusive between the parties; and said corporation shall not, however, enter on any land to construct said road until the damages assessed to the owners thereof shall have been paid or tendered, except in cases mentioned in the fifth section of the sixty-fourth chapter of the General Statutes, and no person shall be entitled to an action for such damages until after such entry has been made on his land.

Damages for land taken—how assessed.

SECT. 4. The capital stock of said corporation shall consist of such a number of shares as may be determined by the directors, not exceeding in par value one hundred dollars each, and the whole capital stock shall not exceed fifteen thousand dollars, and no assessment shall be made upon any share to a greater amount than the sum at which the par value or price of each share shall have been fixed as aforesaid; and the immediate direction and government of said corporation shall be vested in five directors, who shall be chosen by the stockholders, or members hereinafter provided, and shall hold their office until others are duly elected and qualified in their stead; and said directors, a majority of whom shall form a quorum for the transaction of business, shall elect one of their number to be president of the board and of the corporation; and said directors shall elect a clerk, who shall also be clerk of the corporation, and who shall be sworn to the faithful discharge of the duties of his office; and they shall also choose a treasurer, who shall give bonds in a sum not less than five thousand dollars for the faithful discharge of his trust; and they shall also choose such other officers and servants as may from time to time be necessary, and fix their salaries.

Capital stock of the corporation; its officers and their duties.

SECT. 5. Said corporation may build and own toll-houses or other buildings, and such real estate as is necessary for the purposes of its creation, and may erect and maintain gates across said road; and the directors shall appoint toll-gatherers, if necessary, to collect the rates and tolls provided by this act, which toll-gatherers shall have authority to stop any persons passing through said gates until they have paid the rates and tolls which are hereby established, namely: For each single horse, with or without rider, passing over said road, ten cents; for horse and carriage of any kind, twenty cents; for two horses in carriage of any kind, twenty-five cents; for four horses with carriage of any kind, forty cents; for every other carriage of pleasure, or team for business or otherwise, the like sums, according to the number of horses or animals drawing the same. And if any person, with his carriage, horse or horses, or other team or animals, shall turn off from said road to pass the

May erect toll-gates and collect tolls.

gates of said corporation with a view to avoid the payment of the tolls required by this act, such persons shall forfeit and pay to the use of the company three times the amount which the legal tolls would be, upon complaint of any toll-gatherer of said corporation, made before any justice of the peace within the county where the offence is committed.

Meetings, directors, by-laws.

SECT. 6. The annual meeting of the members or stockholders of the corporation shall be held on the day prescribed in the by-laws, at Wilmot, at which meeting the directors shall be chosen by ballot. The directors may call special meetings of the stockholders whenever they shall deem it expedient, by giving such notice thereof as the by-laws may direct. Any three of the persons named in this act may call the first meeting of the corporation, by a notice in any one of the newspapers published in Concord at least fourteen days before said meeting, at which meeting the members or stockholders may choose the directors of said corporation, shall provide for the mode of calling future meetings, and at such time, or at any subsequent meeting duly called for the purpose, may establish such by-laws, not inconsistent with the constitution and laws of the state, as may be necessary for the regulation and government of the corporation, and for carrying into effect its provisions.

Time for building road limited.

SECT. 7. In case said road is not completed and fit for use to the summit of Kearsarge mountain, or to a point as near the summit as is practicable, within six years from the first day of July next, this act shall become void; and all the provisions of this act shall apply for the security and benefit of the corporation whenever any portion of the road is completed and put in use.

Corporation authorized to own buildings.

SECT. 8. Said corporation may erect and maintain, lease and dispose of, any building or buildings which may be found convenient for the accommodation of their business, and of the horses, carriages, and travellers passing over said road.

Charter under control of legislature.

SECT. 9. The legislature may at any time alter, amend, or repeal this act, whenever they may deem it necessary.

Act takes effect on its passage.

SECT. 10. This act shall take effect upon its passage.  
[Approved July 1, 1873.]

## CHAPTER CXII.

### AN ACT IN ADDITION TO THE ACT ENTITLED "AN ACT TO INCORPORATE ST. PAUL'S SCHOOL."

SECTION 1. Corporation may own property not exceeding \$500,000.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Corporation may own property not exceeding five hundred thousand dollars.

SECTION 1. That St. Paul's school may acquire, by gift or otherwise, and may hold real or personal estate not exceeding in value five hundred thousand dollars.

[Approved July 1, 1873.]

CHAPTER CXIII.

AN ACT RELATING TO THE PORTSMOUTH AND DOVER RAILROAD.

SECTION

- 1. Railroad authorized to erect wharves.
- 2. Damages for private rights invaded.

SECTION

- 3. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The Portsmouth and Dover Railroad, or any railroad with which it may have business connections, may build one or more wharves from its own land on Noble's island in Portsmouth, purchased or taken under the appraisal of the railroad commissioners for this purpose, into the Piscataqua river, a sufficient distance for the convenient lading and unlading of vessels, not exceeding three hundred feet from low water mark, and may construct branch railroad tracks to and upon said wharves.

Railroad authorized to erect wharves.

SECT. 2. Compensation shall be made to all persons whose private property or rights may be taken or injured under this act, in the same manner as is provided by the laws of this state in case of lands taken by railroads.

Damages for private rights invaded.

SECT. 3. This act shall be in force from its passage.  
[Approved July 2, 1873.]

Act takes effect on its passage.

CHAPTER CXIV.

AN ACT TO INCORPORATE THE WILTON COMPANY.

SECTION

- 1. Corporation established: its powers.
- 2. Its purpose and location; limitation as to real estate.
- 3. Capital stock.

SECTION

- 4. First meeting; by-laws.
- 5. Act subject to repeal, and takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That William W. Bailey, Elbridge G. Woodman, and Charles H. Burns, their associates, successors, and assigns, shall be, and they hereby are, constituted a corporation by the name of the Wilton Company, and shall be, and hereby are, vested with all the privileges and powers which by law are incident to manufacturing corporations.

Corporation established: its powers.

SECT. 2. Said corporation is hereby authorized to carry on the manufacture of cotton, woollen, and other goods, and manufacture, as may be usefully carried on by said corporation, at Wilton, in the county of Hillsborough; and may erect such mills, dams, works, machines, and buildings as may be necessary for carrying on the same; and may purchase, hold, improve, or sell real estate to an amount not exceeding two hundred thousand dollars.

Its purpose and location; limitation as to real estate.

Capital stock. SECT. 3. The capital stock of said corporation shall not exceed three hundred thousand dollars, and be divided into shares of one hundred dollars each.

First meeting; by-laws. SECT. 4. Any two of said grantees may call the first meeting of said corporation by giving, or cause to be given, to each of said grantees, at least six days before the day of meeting, a notice in writing of the time and place of meeting, at which meeting, or at any subsequent meeting, all necessary by-laws for the regulation of the affairs of said corporation may be made, not inconsistent with the laws of this state.

Act subject to repeal, and takes effect on its passage. SECT. 5. The legislature may at any time alter, amend, or repeal this act, whenever in their opinion the public good may require it; and this act shall take effect from and after its passage.

[Approved July 2, 1873.]

## CHAPTER CXV.

### AN ACT TO INCORPORATE THE BAR ASSOCIATION OF THE STATE OF NEW HAMPSHIRE.

#### SECTION

1. Corporation constituted: its purpose.
2. Its powers, and limitation as to real estate.
3. Constitution, by-laws, etc.
4. Member ceasing to be such, his interest in property to vest in corporation.

#### SECTION

5. First meeting—how called.
6. Subject to legislative control.
7. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Corporation constituted: its purpose.

SECTION 1. That Ira Perley, Harry Bingham, William P. Wheeler, Charles H. Bell, William Barrett, A. P. Carpenter, Edward D. Rand, John J. Bell, John H. George, Mason W. Tappan, James F. Briggs, John Farr, Asa Fowler, Henry Haywood, A. S. Wait, Osian Ray, Austin F. Pike, John Y. Mugridge, F. A. Faulkner, Edward Farrar, Wm. M. Chase, C. W. Stanley, A. F. Stevens, John M. Shirley, their associates and successors, are hereby made a body corporate by the name of The Bar Association of the State of New Hampshire, for the purpose of maintaining the honor and dignity of the profession of the law, and cultivating social relations among its members, and increasing its usefulness in promoting the due administration of justice.

Its powers, and limitation as to real estate.

SECT. 2. Said association by that name may sue and be sued, prosecute and defend, to final judgment and execution, and shall have full power to take and acquire and hold real and personal estate to an amount not exceeding five hundred thousand dollars, by lease, purchase, donation, or otherwise, for the purpose of establishing in said state a library, buildings with furniture therefor, for the use and benefit of said association. Said corporation may borrow money for such purposes, and issue bonds therefor, and secure the same by mortgage or otherwise; and may sell and convey or otherwise dispose of such real and personal estate as shall be necessary for



obtaining the objects and carrying into effect the purposes of such association.

SECT. 3. Such corporation may make and adopt a constitution, by-laws, rules, and regulations for the admission, government, suspension, or expulsion of its members, the collection of fees and dues, the number and election of its officers, to define their duties, provide for the safe keeping of its property and the management of its affairs, and may from time to time alter and amend the same.

Constitution, by-laws, etc.

SECT. 4. All interest of any member in the property of said corporation shall terminate and vest in such corporation upon his ceasing to be a member thereof by death, resignation, expulsion, or otherwise.

Member ceasing to be such, his interest in property to vest in corporation.

SECT. 5. Any three of the grantees specially named in this charter may call the first meeting of said corporation, by giving at least ten days' notice, printed or written, to the rest of such grantees, through the mail or otherwise.

First meeting—how called.

SECT. 6. The legislature may at any time alter, amend, or repeal this act.

Subject to legislative control.

SECT. 7. This act shall take effect on its passage.

Act takes effect on its passage.

[Approved July 2, 1873.]

## CHAPTER CXVI.

### AN ACT TO ENABLE THE MOUNT WASHINGTON HOTEL COMPANY TO FUND ITS DEBT.

#### SECTION

1. Company authorized to issue bonds and mortgage its real estate.

#### SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The Mount Washington Hotel Company,—a corporation duly established by the laws of the state of New Hampshire, and doing business at Carroll in the county of Coös,—is hereby authorized and empowered, at any legal meeting of its stockholders, duly notified and held for that purpose within one year from the passage of this act, to fund its debt by issuing coupons and bonds in common form, secured by a mortgage of its real estate in said Carroll, and payable at such times and with such rates of interest as said corporation may determine.

Company authorized to issue bonds and mortgage its real estate.

SECT. 2. This act shall take effect on its passage.

Act takes effect on its passage.

[Approved July 2, 1873.]

## CHAPTER CXVII.

## AN ACT TO REVIVE THE CHARTER OF THE KIARSARGE SUMMIT ROAD COMPANY.

## SECTION

1. Charter revived.
2. Time of building road limited.

## SECTION

3. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Charter re-  
vived.

SECTION 1. The act entitled "An act to incorporate the Kiarsarge Summit Road Company," passed June session, one thousand eight hundred and sixty-four, shall be, and the same hereby is, revived, and shall be in force.

Time of build-  
ing road lim-  
ited.

SECT. 2. Section seven of said act shall be so amended that the construction of said road shall be completed within four years from the first day of August next.

Act takes effect  
on its passage.

SECT. 3. This act shall be in force after its passage.

[Approved July 2, 1873.]

## CHAPTER CXVIII.

## AN ACT TO INCORPORATE THE SACO AND SWIFT RIVER TURNPIKE COMPANY.

## SECTION

1. Corporation constituted: its powers.
2. Authorized to construct a turnpike.
3. Capital stock.
4. To erect toll-gates and collect tolls.
5. Five directors to be chosen.

## SECTION

6. Annual and special meetings.
7. First meeting.
8. Charter subject to alteration or repeal.
9. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Corporation  
constituted: its  
powers.

SECTION 1. That Frank George, Henry M. Rideout, Sanford E. Whitten, George G. Luey, Horatio N. Jose, Arthur L. Meserve, and Weston F. Millikin, their associates, successors, and assigns, are hereby made a body corporate by the name of the Saco and Swift River Turnpike Company, and by that name may sue and be sued, and have and enjoy all the privileges and powers, and be subject to all the duties and liabilities, by law incident to corporations of a similar nature.

Authorized to  
construct a  
turnpike.

SECT. 2. Said corporation is hereby empowered to lay out, make, and keep in repair a road from such a point as may be selected by it, on the White Mountain Notch Road, so-called, in Bartlett, by such route as may be deemed best to such a point on the main road in Albany as may be deemed advisable.

Capital stock.

SECT. 3. The capital stock of said corporation shall consist of such a number of shares, of not exceeding one hundred dollars each, in par value, as may be determined by said corporation: provided, however, that the whole capital stock shall not exceed ten thousand dollars.

SECT. 4. Said corporation may build and hold toll-houses and other real estate proper for the purpose of its creation, erect and maintain gates across said road; and the directors thereof shall appoint such toll-gatherers as may be necessary to collect the tolls, who shall have authority to stop any persons and teams passing over said road until they have paid the tolls thereon. And the directors of said corporation shall have authority from time to time to direct and establish such reasonable rates and tolls as they may think proper,—subject at all times to alteration by the legislature.

To erect toll-gates and collect tolls.

SECT. 5. The immediate government of said corporation shall be vested in five directors, to be chosen by the stockholders as hereinafter provided, and to hold their office until others are duly elected in their stead. And said directors, a majority of whom shall constitute a quorum for the transaction of business, shall appoint such other officers and agents as may be necessary and proper for the purposes of said corporation.

Five directors to be chosen.

SECT. 6. The annual meeting of said corporation shall be holden on such day and at such place in this state as the by-laws may prescribe, or as the directors for the time being shall appoint, at which meeting the directors shall be chosen by ballot; and the directors may call special meetings at any time, giving such notice as the by-laws may direct.

Annual and special meetings.

SECT. 7. Any three of the persons named in this act may call the first meeting of said corporation, by giving public notice thereof in Bartlett at least one week previous thereto; and at said meeting directors may be chosen and such other business done as may be thought proper.

First meeting.

SECT. 8. The legislature may at any time alter, amend, or repeal this act.

Charter subject to alteration or repeal.

SECT. 9. This act shall take effect on its passage.

Act takes effect on its passage.

[Approved July 2, 1873.]

## CHAPTER CXIX.

### AN ACT TO INCORPORATE THE PEOPLE'S SAVINGS BANK.

#### SECTION

1. Corporation constituted and located: its powers.
2. Duties as to deposits.
3. Regulation as to real estate.
4. Not to issue bills; compensation of officers.

#### SECTION

5. By-laws, etc.
6. Books open to inspection, etc.
7. First meeting.
8. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That Person C. Cheney, William Killey, Lewis Simons, David H. Young, Nehemiah S. Bean, Nathaniel W. Cumner, Abraham P. Olzendam, John B. Varick, E. M. Tubbs, Samuel D. Lord, David E. Varney, Ira Cross, Atherton W. Quint, George Foster, Elijah M. Topliff, Henry M. Putney, Charles Williams, and James F. Briggs, be, and hereby are, constituted a body corporate by the

Corporation constituted and located: its powers.

name of the People's Savings Bank, which bank shall be located in the city of Manchester; and they, and such other persons as shall be duly elected and admitted members of said corporation at regular meetings thereof, according to such by-laws as shall hereafter be established, shall be and remain a body corporate by said name, and are and shall be invested with all the powers, rights, and privileges, and subject to all the duties and liabilities, which are or may be incident to corporations of like nature by the laws of this state.

Duties as to deposits.

SECT. 2. Said corporation may receive from any person or persons any deposit or deposits of money, and may use, manage, and improve the same for the benefit of the depositors, in such manner as shall be convenient or necessary for the security and profitable investment thereof; and all deposits may be withdrawn and the net income or profit of the deposits divided at such reasonable times, and in such manner and proportion, and subject to such equitable rules and regulations, as such corporation shall from time to time prescribe, agreeably to the laws of the state.

Regulation as to real estate.

SECT. 3. Said corporation may take and hold such real estate as may be convenient in transacting the business thereof, not exceeding twenty thousand dollars in value at one time; and said corporation may take and hold and dispose of such real estate as may in good faith be received by it by way of security or payment for loans made by it, or for any debts, demands, or liabilities which may be owing or accrue to said corporation.

Not to issue bills; compensation of officers.

SECT. 4. Said corporation shall not issue any bill or promissory note to circulate as currency, nor shall the members or officers of said corporation receive any profit or emolument from said bank: provided, however, that a reasonable compensation may from time to time be paid to the treasurer of said corporation for services actually rendered.

By-laws, etc.

SECT. 5. Said corporation may from time to time make such needful by-laws, rules, and regulations for its government and the management of its business as shall not be inconsistent with this act and the laws of the state.

Books open to inspection, etc.

SECT. 6. The books and accounts of this corporation shall at all times be open to inspection to the governor and council, the bank commissioners, or any officer appointed by either branch of the legislature for that purpose, and the legislature may at any time alter, amend, or repeal this act.

First meeting.

SECT. 7. Person C. Cheney, William Killey, and Lewis Simons, or any two of them, may call the first meeting of this corporation at such time and place and in such manner as they may think proper.

Act takes effect on its passage.

SECT. 8. This act shall take effect from and after its passage.  
[Approved July 2, 1873.]

## CHAPTER CXX.

AN ACT IN ADDITION TO AND AMENDMENT OF "AN ACT RELATING TO THE SCHOOLS OF THE CITY OF PORTSMOUTH," APPROVED JULY 7, 1866.

## SECTION

1. Both sexes to attend the same school.
2. Verbal amendment.

## SECTION

3. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

SECTION 1. Section six of said act is amended by striking out the third line, and inserting the words one high school, so that the whole section shall read,—There shall be kept and maintained, in the city of Portsmouth, in addition to the schools of a lower grade, at least one high school, in which shall be taught all the branches usually taught in an English grammar school, with such additional branches as the city may direct.

Both sexes to attend the same school.

SECT. 2. Section twelve is amended by striking out the word "schools" in the first and fourth lines, and inserting the words school or schools.

Verbal amendment.

SECT. 3. This act shall take effect on its passage.

Act takes effect on its passage.

[Approved July 2, 1873.]

## CHAPTER CXXI.

AN ACT TO EXABLE THE PORTSMOUTH GAS COMPANY TO EXTEND THEIR WHARF FURTHER INTO PISCATAQUA RIVER.

## SECTION

1. Gas company authorized to extend its wharf.

## SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

SECTION 1. That the Portsmouth Gas Company be, and they are hereby, empowered to extend their wharf in the city of Portsmouth easterly further into Piscataqua river ten feet on the northerly line of their boundary, and on the northerly [southerly] boundary, commencing at the corner of the present wharf, and running northerly at an angle of forty-five degrees with the face of the present wharf thirty-five feet, thence in a direct line to the above projected northern boundary.

Gas company authorized to extend its wharf.

SECT. 5. This act shall take effect from and after its passage.

Act takes effect on its passage.

[Approved July 2, 1873.]

## CHAPTER CXXII.

AN ACT IN AMENDMENT OF "AN ACT TO AUTHORIZE THE CONSTRUCTION OF A BRIDGE OVER LITTLE HARBOR RIVER IN THE COUNTY OF ROCKINGHAM, AND TO GIVE ADDITIONAL POWER TO THE COUNTY COMMISSIONERS IN REGARD TO THE SAME," PASSED JULY THIRD, ONE THOUSAND EIGHT HUNDRED AND SEVENTY-TWO.

SECTION 1. Proviso requiring concurrent vote of towns repealed.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

Proviso requiring concurrent vote of towns repealed.

SECTION 1. The proviso in section one of said act, requiring that the towns of Rye and Newcastle shall, by a vote of a majority of the legal voters of each town, at legal meetings severally called for that purpose, determine that it is expedient to erect and maintain said bridge, is hereby repealed.

[Approved July 2, 1873.]

## CHAPTER CXXIII.

AN ACT TO INCORPORATE THE CONWAY LAND AND LUMBER COMPANY.

## SECTION

1. Corporation constituted: its powers.
2. Capital stock.
3. Property limitation, etc.

## SECTION

4. First meeting; by-laws; officers.
5. Act subject to repeal, etc.
6. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

Corporation constituted: its powers.

SECTION 1. That John G. Sanborn, Otis Warren, William H. Allen, Daniel C. Bartlett, and Charles A. Broton, their associates, successors, and assigns, be, and they hereby are, made a corporation by the name of the Conway Land and Lumber Company, and by that name may sue and be sued, prosecute and defend, to final judgment and execution, and shall be, and hereby are, invested with all the powers and privileges, and subject to all the liabilities, incident to similar corporations.

Capital stock.

SECT. 2. The capital stock of said corporation shall not be less than fifty thousand dollars, nor more than two hundred and fifty thousand dollars, divided into shares of one hundred dollars each.

Property limitation, etc.

SECT. 3. The corporation may acquire and hold real and personal estate not exceeding the amount of capital stock, and may erect any buildings, fixtures, or privileges which they may deem expedient, and may build mills and operate the same, and engage in carrying on every description of manufacturing business not prohibited by the laws of the state.

First meeting; by-laws; officers.

SECT. 4. Any two of the corporators are hereby empowered to call the first meeting of said corporation, by giving three days' prior notice to the other corporators, at which, or any future meeting, such by-

laws, rules, and regulations, not repugnant to the constitution or laws of this state, may be adopted, such officers chosen, and all such other matters and things done and transacted as may be necessary to the organization of said corporation and its future operations, for the full enjoyment of the rights and privileges hereby granted.

SECT. 5. The legislature may at any time alter, amend, or repeal this act, whenever in their opinion the public good requires it.

Act subject to repeal, etc.

SECT. 6. This act shall take effect from its passage.

Act takes effect on its passage.

[Approved July 2, 1873.]

CHAPTER CXXIV.

AN ACT TO INCORPORATE THE ST. PATRICK'S BENEVOLENT SOCIETY IN CONCORD.

SECTION

1. Corporation constituted: its purpose, powers, and property.
2. First meeting.

SECTION

3. Act subject to repeal, and takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

SECTION 1. That William Lynch, Michael Kelleher, Michael H. Donovan, Daniel E. Barry, Dennis Sweeney, Daniel B. Donovan, Oliver J. Pelren, Christopher Jordon, William Reen, Patrick Cleary, Patrick Bolger, Daniel J. Murphy, John D. Lynch, Daniel Donovan, John Sheehan, George McLearn, and Jeremiah Sweeney, their associates, successors, and assigns, be, and hereby are, created a body corporate and politic by the name of the St. Patrick's Benevolent Society in Concord, for such charitable and benevolent purposes as the corporation may designate; and by that name may sue and be sued, prosecute and defend, to final judgment and execution, and shall be, and hereby is, invested with all the powers and privileges, and made subject to all the liabilities, of corporations of a similar nature; and may take and hold real and personal estate, by donation, bequest, or otherwise, for the purpose of said corporation, to an amount not exceeding twenty-five thousand dollars, and the same sell, convey, or otherwise dispose of at pleasure.

Corporation constituted: its purpose, powers, and property.

SECT. 2. The first five persons above named, or any three of them, may call the first meeting of said corporation by giving notice to each of the persons named in this act, or by one publication in some daily newspaper published in said Concord seven days at least prior to said meeting.

First meeting.

SECT. 3. The legislature may alter, amend, or repeal this act at their pleasure, and the act shall take effect upon its passage.

Act subject to repeal, and takes effect on its passage.

[Approved July 2, 1873.]

## CHAPTER CXXV.

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT TO INCORPORATE A NUMBER OF THE INHABITANTS OF THE TOWN OF MILFORD AND OTHER TOWNS ADJACENT, IN THE COUNTY OF HILLSBOROUGH, INTO A RELIGIOUS SOCIETY BY THE NAME OF THE FIRST BAPTIST SOCIETY IN MILFORD," APPROVED JUNE 17, 1813.

## SECTION

1. Admission of members regulated.
2. Repealing clause.

## SECTION

3. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Admission of  
members regu-  
lated.

SECTION 1. That section 2d of said act may be made to read as follows: That any person belonging to the First Baptist Church in said Milford, of the age of twenty-one years and upwards, upon application to the clerk of said society, may become a member of said society from the date of the record of such application; and any person not a member of said Baptist church, and of the age aforesaid, making a written application to the clerk of said society, may become a member thereof by a vote of two thirds of the members voting upon such application at any legal meeting at which such application shall be acted on.

Repealing  
clause.

SECT. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

Act takes effect  
on its passage.

SECT. 3. This act shall take effect from and after its passage.  
[Approved July 2, 1873.]

## CHAPTER CXXVI.

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT TO INCORPORATE THE HEDDING CAMP MEETING ASSOCIATION OF THE METHODIST EPISCOPAL CHURCH," PASSED JUNE SESSION, ONE THOUSAND EIGHT HUNDRED AND SIXTY-THREE.

## SECTION

1. Property limited, and exempted from taxation.

## SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Property limit-  
ed and exempt-  
ed from taxa-  
tion.

SECTION 1. That the Hedding Camp Meeting Association may take and hold real and personal estate, by deed, donation, bequest, or otherwise, for the purposes of said corporation, to an amount not exceeding ten thousand dollars, instead of five thousand dollars as now provided for in the original act of incorporation, and may sell, convey, or otherwise dispose of the same at pleasure; and the said real and personal estate so held by said corporation shall be exempt from taxation.

Act takes effect  
on its passage.

SECT. 2. This act shall take effect upon its passage.  
[Approved July 2, 1873.]



CHAPTER CXXVII.

AN ACT TO ENABLE THE TOWN OF ROLLINSFORD TO PAY A BOUNTY TO CERTAIN VOLUNTEERS.

SECTION 1. Town authorized to pay bounty to certain recruits or their heirs.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

SECTION. 1. The town of Rollinsford, at any meeting of the legal voters thereof called for that purpose, may provide for the payment of a bounty, not exceeding one hundred and fifty dollars, to each man or the heirs of each man who served as a volunteer or drafted man in the army of the United States in the late war of the rebellion, as part of the quota of said town, and who was honorably discharged or died in said service, and who never received any bounty from said town.

Town authorized to pay bounty to certain recruits or their heirs.

[Approved July 3, 1873.]

CHAPTER CXXVIII.

AN ACT LEGALIZING ALL THE TAXES ASSESSED IN THE TOWN OF HARRISVILLE IN ONE THOUSAND EIGHT HUNDRED AND SEVENTY-ONE.

SECTION

1. Assessment of taxes and acts of selectmen legalized.

SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

SECTION 1. That all the taxes assessed by the board of selectmen of the town of Harrisville, for the year one thousand eight hundred and seventy-one, be, and the same hereby are, made legal ; and all the doings of the selectmen in relation to the assessment of all taxes in said town for said year are hereby ratified, confirmed, and legalized.

Assessment of taxes and acts of selectmen legalized.

SECT 2. This act shall take effect from and after its passage.

[Approved July 3, 1873.]

Act takes effect on its passage.

## CHAPTER CXXIX.

AN ACT TO AUTHORIZE A FURTHER REIMBURSEMENT TO THE TOWNS OF LEBANON AND DERRY ON ACCOUNT OF MUNICIPAL WAR EXPENDITURES.

## SECTION

1. Towns to receive additional sums from reimbursement fund.
2. Treasurer to pay from balance of war loan bonds.

## SECTION

3. Repealing clause.
4. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Towns to receive additional sums from reimbursement fund.

SECTION 1. That the sum of one hundred dollars, with interest from the first day of January, 1872, be allowed the town of Lebanon; and that the sum of two hundred and eight dollars and thirty-three cents, with interest from the first day of January, 1872, be allowed the town of Derry, in addition to the sums already paid to said towns in pursuance to chapter XII of the laws of 1870, and chapter III of the laws of 1871.

Treasurer to pay from balance of war loan bonds.

SECT. 2. The state treasurer is hereby authorized to pay the sums hereby allowed from the balance of the municipal war loan bonds remaining in his possession June 1, 1873, and the municipal war loan is hereby increased by the amount hereby awarded to the towns of Lebanon and Derry.

Repealing clause.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

Act takes effect on its passage.

SECT. 4. This act shall take effect from its passage.

[Approved July 3, 1873.]

## CHAPTER CXXX.

AN ACT IN AMENDMENT OF "AN ACT TO INCORPORATE THE WINDSOR AND FOREST LINE RAILROAD."

## SECTION

1. Road authorized to increase its number of directors.

## SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Road authorized to increase its number of directors.

SECTION 1. That the said Windsor and Forest Line Railroad may increase its board of directors from seven to not exceeding eleven in number.

Act takes effect on its passage.

SECT. 2. This act shall take effect upon its passage.

[Approved July 3, 1873.]

CHAPTER CXXXI.

AN ACT TO ESTABLISH THE CITY OF KEENE.

SECTION

1. City of Keene established.
2. Divided into five wards: their boundaries.
3. What officers to be chosen at first meeting under charter.
4. Annual meetings; tenure of office of city and ward officers.
5. City officers—when to qualify.
6. Police court.
7. Power of town in regard to water-works transferred to city council.

SECTION

8. Selectmen of town to post check-lists and issue warrants for first meeting, etc.
9. Charter not in force unless adopted by town.
10. Warrant for meeting to act on acceptance of charter—when to be posted.
11. First meeting for choice of officers—when held. First officers elected—when to qualify, and their tenure of office.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The inhabitants of the town of Keene in the county of Cheshire shall continue to be a body corporate and politic, under the name of the city of Keene. City of Keene established.

SECT. 2. The said city of Keene hereby is divided into five wards, which shall be constituted as follows, namely: Divided into five wards: their boundaries.

Ward No. 1 shall include all that part of the town of Keene now included within the following limits: viz.,—bounded northerly by a line drawn easterly from Central square, through the centre of Roxbury street and the centre of the highway leading by the dwelling-houses of Miles T. Buckminster and John W. Nye to Roxbury; easterly by the town lines between said Keene, Marlborough, and Swanzey; and westerly by a line drawn southerly from said Central square through the centre of Main street and the road leading to Swanzey Factory Village.

Ward No. 2 shall include all that part of said Keene included within the following limits: viz.,—bounded northerly by the town lines between said Keene and Gilsum; easterly by the town lines between said Keene, Sullivan, and Roxbury; southerly by the northern limit above described of ward No. 1; and westerly by a line intersecting with said last mentioned line, and drawn thence northerly through said Central square, the centre of Washington street, and the old road leading by the dwelling-house of E. G. Holman to Gilsum.

Ward No. 3 shall include all that part of said Keene included within the following limits: viz.,—bounded northerly by the town lines between said Keene, Gilsum, and Surry; easterly by the west line above described of ward No. 2; and westerly by a line drawn north-westerly through said Central square, the centre of Court street, and the centre of the old road leading by the dwelling-houses of Charles Wright and Calvin Randall to said Surry.

Ward No. 4 shall include all that part of said Keene included within the following limits: viz.,—bounded northerly by the town lines between said Keene, Surry, and Westmoreland; easterly by the west line above described of ward No. 3; southerly by a line intersecting with said last mentioned line, and drawn thence westerly through Central square, the centre of West street, and the centre

of the highway leading from said West street by the dwelling-houses of Charles N. Wilder, Josiah Sawyer, Joseph Wilson, Daniel Brown, and Isaiah Robbins, to Chesterfield; and westerly by the town lines between said Keene, Westmoreland, and Chesterfield.

Ward No. 5 shall include all that part of said Keene included within the following limits: viz.,—bounded northerly by the south line above described of ward No. 4; easterly by the west line above described of ward No. 1; southerly by the town lines between said Keene and Chesterfield and Swanzey.

What officers  
to be chosen at  
first meeting  
under charter.

SECT. 3. At the first meeting after the adoption of this act there shall be chosen in each of said wards, in the manner prescribed by law, one alderman, three common councilmen, one assessor of taxes, and one overseer of the poor.

Annual meet-  
ing; tenure of  
office of city  
and ward offi-  
cers.

SECT. 4. The annual meeting of the legal voters of said city of Keene, for the choice of city and ward officers, shall be held on the second Tuesday of December annually; and all city and ward officers who are chosen by the people shall hold their respective offices for one year from the first Tuesday of January next succeeding, and until others are chosen and qualified in their stead.

City officers—  
when to qual-  
ify.

SECT. 5. The mayor, aldermen, and common councilmen shall meet in convention for the purpose of taking the oath of their respective offices on the first Tuesday of January in each year, at ten o'clock in the forenoon.

Police court.

SECT. 6. A police court is hereby established within said city of Keene, constituted in the manner prescribed in section 2, chapter 196 of the General Statutes of this state, with all the powers and made subject to all the duties prescribed for police courts in and by said chapter.

Power of town  
in regard to  
water-works  
transferred to  
city council.

SECT. 7. All the power and authority now vested by law in said town of Keene in regard to the construction, maintenance, and management of water-works is hereby transferred to and vested in the city council, and shall be carried into execution by the appointment of a superintendent or board of water commissioners, or such other manner as said city council shall determine.

Selectmen of  
town to post  
check-lists, and  
issue warrants  
for first meet-  
ing, etc.

SECT. 8. Within fifteen days after the acceptance of this act by the legal voters of the town of Keene in the manner hereinafter prescribed, the selectmen of said town, for the purpose of the first election under this charter, shall prepare, revise, correct, and post up, in the manner in which selectmen of towns are now required to do, an alphabetical list of voters in each ward of the city, and shall issue and serve their warrant for a meeting of the legal voters in their respective wards for the choice of all city officers who are elected by the people. Such warrant shall be posted at least fourteen days before the time appointed for said meetings, and shall designate the time and place for the meetings in the respective wards. At said meeting, each of said wards shall choose a moderator, clerk, three selectmen, one alderman, three members of the common council, one assessor, and one overseer of the poor, and shall also give in their votes for a mayor and such other officers as are then to be voted for. The clerk of each ward shall deliver certificates of their election to the persons elected aldermen and members of the common council, and a copy of the record of election to said selectmen of the town, certified by himself, the moderator, and a majority of the selectmen of said ward, within twenty-four hours after the ter-

mination of said ward meeting. The selectmen shall, within two days after receiving said returns, examine, compare, and record the same, ascertain the result of the election, and give notice in writing to the person chosen mayor of his election. If a mayor shall not have been elected at such meeting, the selectmen shall forthwith issue their warrant for another meeting, as provided in this section, and the same proceedings shall be had and repeated until a mayor shall be chosen. Any legal voter in the respective wards may call the first meeting to order, and preside until a moderator shall be chosen.

SECT. 9. This act shall be void unless a majority of the legal voters of said town of Keene shall, by a majority of the voters present and voting thereon by ballot, determine to adopt the same at an annual meeting of the voters of said town. Charter not in force unless adopted by town.

SECT. 10. The selectmen shall issue and serve their warrant as prescribed by law at least fourteen days before said meeting to the legal voters of said town, to see if they will adopt this charter for a city government,—said votes to be taken by ballot. Warrant for meeting to act on acceptance of charter—when to be posted.

SECT. 11. The first meeting of the legal voters of said Keene for the choice of city and ward officers shall be held on the second Tuesday of April following the adoption of this act. The mayor, aldermen, and common councilmen then elected shall meet in convention for the purpose of taking the oath of their respective offices on the first Tuesday of May next succeeding. All the city and ward officers elected by the people in April shall hold their respective offices until others are chosen and qualified in their stead. First meeting for choice of officers—when held; first officers elected—when to qualify, and their tenure of office.

[Approved July 3, 1873.]

## CHAPTER CXXXII.

AN ACT TO ENABLE THE TOWN OF CHICHESTER TO RAISE A FUND FOR THE SUPPORT OF A HIGH SCHOOL.

SECTION 1. Town authorized to provide fund for support of high school.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That the town of Chichester is hereby authorized and empowered, at any legal meeting called for the purpose, to raise a sum of money not exceeding five thousand dollars to be invested by said town as a permanent fund, the income of which shall be expended in each and every year for the support of a high school in said town. Town authorized to provide fund for support of high school.

[Approved July 3, 1873.]

## CHAPTER CXXXIII.

AN ACT TO REVIVE THE CHARTER OF THE KEARSARGE SAVINGS BANK,  
PASSED JULY 6, 1867.

## SECTION

1. Charter revived.

## SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Charter re-  
vived.

SECTION 1. The act entitled "An act to incorporate the Kearsarge Savings Bank," passed July 6, 1867, is hereby revived and continued in force as fully and completely, to all intents and purposes, as if the same were reënacted at the present time, and the corporation thereby created shall continue for the full term of twenty years from the passage of this act: provided, however, that the bank be organized within twelve months from the passage of this bill.

Act takes effect  
on its passage.

SECT. 2. This act shall take effect on its passage.  
[Approved July 3, 1873.]

## CHAPTER CXXXIV.

AN ACT SUPPLEMENTARY TO AND IN AMENDMENT OF CHAPTER EIGHTY-EIGHT  
OF THE LAWS PASSED AT THE JUNE SESSION, 1872.

## SECTION

1. Act of 1872 amended.
2. Inspectors of check-lists to take oath as to legal voters.
3. As to ratable polls.
4. Penalty for swearing falsely.
5. Representatives' credentials to bear certificate of oaths taken.

## SECTION

6. Act may be adopted by other cities.
7. Act of 1872 to be published with the laws of 1873.
8. Repealing clause; act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Act of 1872  
amended.

SECTION 1. Strike out the words "one of which shall be on the day of election" in the sixth line of section three of said chapter. Strike out all of section four after the word "and" in the eighth line of said section four of said chapter, and insert in lieu thereof the following: Said board of inspectors shall be in session from eight o'clock to eleven o'clock A. M. on election days: provided, however, that such parts only of sections three and four of this act as the board of inspectors shall deem necessary shall apply to special elections. Insert after the word "voter," in the ninth line of section six of said chapter, the words agreeably to the provisions of section five of chapter twenty-eight of the General Statutes. Insert after the word "court," in the third line of section seven of said chapter, the words within one week after such meeting. Insert after the word "ward," in the fifth line of said section seven

of said chapter, the words during the six months next preceding such annual meeting, or have paid a tax in the city for the year preceding such annual meeting, as ratable polls. Insert after the word "court," in the fifteenth line of said section seven of said chapter, the words and shall certify upon said copy that the check-list was used during the balloting on which such representatives were chosen.

SECT. 2. The board of inspectors of check-lists in the city of Nashua, at every meeting of the legal voters of each ward in said city for the choice of state and county officers, representatives in congress, or electors of president and vice-president of the United States, shall, before the check-lists are delivered to the clerks of the several wards, take and subscribe on the back of the check-lists to be used at such meetings the following oath, which may be taken before the city clerk, or any justice of the peace, or notary public, the blank in the same being first properly filled: We, the inspectors of check-lists in the city of Nashua, do solemnly swear that, according to our best knowledge, the within list contains the names of those persons only who are by actual residence legal voters in ward — in said city. So help us God. The clerk or magistrate before whom said oath is taken shall make on the back of said check-list a certificate thereof.

Inspectors of check-lists to take oath as to legal voters.

SECT. 3. The board of inspectors of check-lists in the city of Nashua shall take and subscribe on the back of the check-lists used at the annual meeting the following oath, which may be taken before the city clerk, or any justice of the peace, or notary public, the blank in the same being first properly filled: We, the inspectors of check-lists in the city of Nashua, do solemnly swear that, according to our best knowledge, the names of those persons only who were not legal voters at the last annual meeting, but were actual residents and ratable polls in ward — in said city, are entered upon the back of the within list. So help us God. The clerk or magistrate before whom said oath is taken shall make on the back of said check-list a certificate thereof.

As to ratable polls.

SECT. 4. Any inspector, who shall swear falsely in taking either of the oaths prescribed by this act, shall be taken and deemed to be guilty of wilful and corrupt perjury, and be liable to the punishment prescribed therefor.

Penalty for swearing falsely.

SECT. 5. In making out the certificate of any representative from any ward in the city of Nashua, the clerk of the board of inspectors shall certify whether or not the foregoing oaths prescribed by the second and third sections of this act were taken and subscribed by the inspectors on the back of the check-list used in each ward at the annual meeting.

Representatives' credentials to bear certificates of oaths taken.

SECT. 6. Any other city may adopt the provisions of chapter eighty-eight of the laws passed at the June session, 1872, as amended by this act, which shall thereupon extend and apply to such city as fully as to the city of Nashua.

Act may be adopted by other cities.

SECT. 7. Chapter eighty-eight of the laws passed at the June session, 1872, as amended by this act, shall be published with the laws passed at this session.

Act of 1872 to be published with the laws of 1873.

SECT. 8. All acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

Repealing clause; act takes effect on its passage.

[Approved July 3, 1873.]

## CHAPTER CXXXV.

## AN ACT TO INCORPORATE THE MARGINAL RAILROAD IN PORTSMOUTH.

## SECTION

1. Corporation constituted.
2. Its powers and duties.
3. Authorized to contract with other roads.
4. Capital stock.

## SECTION

5. First meeting.
6. Act takes effect on its passage; subject to legislative control.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

Corporation  
constituted.

SECTION 1. That Ichabod Goodwin, Daniel Marcy, Alfred W. Haven, Jerome C. Butler, Thomas H. Odion, Benjamin Russell, Dennis Shea, William F. Russell, Jeremiah D. Goodrich, Silas Philbrick, Charles H. Rollins, William H. Rollins, John H. Broughton, Samuel Adams, J. Albert Walker, George W. Tucker, Benjamin F. Webster, Charles H. Mendrum, John Harris, Benjamin Cheever, Marcellus Eldridge, Thomas E. O. Marvin, Charles Robinson, Thomas Neil, Thomas H. Rider, William W. Cotton, Alexander H. Ladd, John R. Holbrook, Frank Jones, Charles G. Pickering, George Tompson, Joseph Sise, Albert A. Fernald, Joshua Brooks, Thomas E. Call, William H. Y. Hackett, Albert R. Hatch, Henry M. Clark, Daniel Littlefield, Charles E. Walker, Alfred Stavers, and John H. Bailey, be, and they hereby are, made a body politic and corporate by the name of the Portsmouth Marginal Railroad, and may act, contract, sue, and be sued as such.

Its powers and  
duties.

SECT. 2. This corporation is authorized to locate, build, and maintain a railroad from the tracks of the Portsmouth & Dover Railroad, Concord & Portsmouth Railroad, and Eastern Railroad in New Hampshire, at some point or points near the Piscataqua river, southwardly near the wharves and shore of the river to any point on said river in Portsmouth or Newcastle, and for this purpose shall have all such powers as are usually granted to railroad corporations in this state; and they may construct and own such wharves and storehouses as shall be necessary or convenient for the use of said railroad: provided, however, that the railroad or improvements of said corporation shall not be so located or constructed as to include any premises now belonging to or occupied by said Portsmouth & Dover, Eastern, Concord & Portsmouth railroads, and the Concord Railroad Corporation, or either of them; or to interfere with the tracks now used by any of said corporations, without the consent of those corporations respectively, except necessary crossings, to be determined by the railroad commissioners on the application of either party.

Authorized to  
contract with  
other roads.

SECT. 3. This corporation may make such contracts in regard to the construction, use, and management of their railroad, with said Portsmouth & Dover Railroad, Concord & Portsmouth Railroad, and Eastern Railroad in New Hampshire, and the Concord Railroad Corporation, or with any of them, as, after notice to all said railroads, shall be approved by the railroad commissioners, subject at all times to be modified by said commissioners.

Capital stock.

SECT. 4. The capital stock of this corporation shall not exceed



two hundred and fifty thousand dollars, and shall be divided into shares of one hundred dollars each.

SECT. 5. John H. Broughton, J. Albert Walker, and Thomas H. Odion, or any two of them, may call the first meeting of the corporation, by notice published one week in any newspaper printed in Portsmouth, at which time, or at any subsequent meeting, such by-laws may be adopted as shall not be inconsistent with the laws of this state. First meeting.

SECT. 6. This act shall be in force from its passage, and shall at all times be subject to alteration, amendment, or repeal by the general court. Act takes effect on its passage; subject to legislative control.

[Approved July 3, 1873.]

## CHAPTER CXXXVI.

### AN ACT FOR THE BETTER PROTECTION OF THE KEENE WATER-WORKS.

#### SECTION

1. Persons prohibited from defiling reservoir ponds.

#### SECTION

2. Penalty.

3. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. No person shall at any time bathe in or in any way corrupt the waters of either of the reservoir ponds connected with the Keene water-works; nor shall any person, without the permission of the Keene water board, or not in accordance with regulations adopted by them, place or use a boat upon either of said reservoir ponds, or catch or take any fish from said ponds, or either of them, or cross or go upon either of said ponds upon the ice with a team or teams, or otherwise. Persons prohibited from defiling reservoir ponds.

SECT. 2. Any person who shall violate any of the provisions of the preceding section shall pay a fine of not less than five dollars nor more than fifty dollars for each offence. Penalty.

SECT. 3. This act shall take effect from its passage.

Act takes effect on its passage.

[Approved July 3, 1873.]

## CHAPTER CXXXVII.

AN ACT IN AMENDMENT OF AN ACT, PASSED JULY 9, 1866, ENTITLED "AN ACT RATIFYING THE UNION OF CERTAIN SCHOOL DISTRICTS IN THE TOWN OF WEARE."

## SECTION

1. Section 2, act of 1866 repealed.

## SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

Section 2, act of  
1866 repealed.

SECTION 1. That section two of said act, of which this act is in amendment, be, and the same is hereby, repealed.

Act takes effect  
on its passage.

SECT. 2. This act shall take effect upon its passage.

[Approved July 3, 1873.]

## CHAPTER CXXXVIII.

AN ACT FIXING THE TIME OF CLOSING THE POLLS IN THE CITY OF PORTSMOUTH.

## SECTION

1. Polls to be closed at 6½ o'clock.  
2. Ballots to be preserved and recounted—  
when and by whom.

## SECTION

3. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

Polls to be  
closed at 6½  
o'clock.

SECTION 1. That at all elections hereafter held in the city of Portsmouth, for state, county, and municipal officers, the polls shall be closed at six and one half o'clock in the afternoon of the day of election, and of the day of any adjournment from that day, and not before; and no ballot shall be given in, received, or placed in the ballot-box after six and one half o'clock of the day when the balloting takes place.

Ballots to be  
preserved and  
recounted—  
when and by  
whom.

SECT. 2. As soon as a declaration of the votes shall have been made at any election, it shall be the duty of the clerk of each ward to take possession of all the ballots counted, and preserve them in the same condition in which they were at the time of the declaration, together with the memorandum from which the moderator made the declaration,—also, any memorandum or figures made by any officer who assisted in sorting or counting the ballots,—and preserve the same in some safe place under his lock and key, for ninety days after such election, subject during that time to such examination or recount in such manner and at such times as the mayor and aldermen may order; and subject, also, to be examined by any person in the presence of the ward clerk, upon two days' notice thereof given to the moderator and selectmen of the ward.

Act takes effect  
on its passage.

SECT. 3. This act shall take effect from and after its passage.

[Approved July 3, 1873.]

CHAPTER CXXXIX.

AN ACT TO AUTHORIZE THE NASHUA & ROCHESTER RAILROAD TO ISSUE BONDS, AND FOR OTHER PURPOSES.

SECTION

- 1. Road authorized to issue bonds and mortgage property.
- 2. Bonds may be converted into shares.

SECTION

- 3. By whom guaranteed.
- 4. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

SECTION 1. The Nashua & Rochester Railroad are hereby authorized to issue bonds not exceeding in amount outstanding at any one time the sum of seven hundred thousand dollars, payable in such manner and way as may be fixed by the directors, and at any time not less than twenty years from the passage of this act, with interest payable semi-annually, and may register said bonds, or annex thereto coupons for the interest, and said railroad corporation may secure the payment of said bonds by a mortgage of their railroad and franchise, and of any of the property of the corporation, in such form as may be approved by the railroad commissioners, subject to the lease of said railroad to the Worcester & Nashua Railroad Company now existing, and to all other existing liens and lawful encumbrances upon the said railroad or its property.

Road authorized to issue bonds and mortgage property.

SECT. 2. Bonds issued under authority of this act may be converted into shares of the capital stock of the corporation at the par value of one hundred dollars each, at the option of the holder, at any time after the completion of the road.

Bonds may be converted into shares.

SECT. 3. The Worcester & Nashua Railroad Company shall indorse the said bonds, or otherwise guarantee the payment thereof, and the interest thereon.

By whom guaranteed.

SECT. 4. This act shall take effect upon its passage.  
[Approved July 3, 1873.]

Act takes effect on its passage.

CHAPTER CXL.

AN ACT IN AMENDMENT OF THE CHARTER OF THE MANCHESTER PRINT WORKS.

SECTION

- 1. Corporation authorized to reduce its capital stock; how apportioned among stockholders.

SECTION

- 2. May issue new shares; proportion to each stockholder.
- 3. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

SECTION 1. That the Manchester Print Works, at a legal meeting be called for that purpose, and by a vote of two thirds of the stockholders, in number and value of the stock, then present or represented, may reduce its capital stock to a sum not less than five hundred and forty thousand dollars, and may divide its capital stock

Corporation authorized to reduce its capital stock; how apportioned among stockholders.

so reduced into shares of not less than one hundred dollars each ; and in substitution for each old share of one thousand dollars, the holder thereof shall be entitled to receive, and said corporation shall issue to him, such portion of such new shares as shall bear the same proportion to the whole amount of said shares of reduced value as the amount of said old shares owned by said stockholder bears to the whole amount of said capital before reduction as aforesaid.

May issue new shares—proportion to each stockholder.

SECT. 2. Said corporation, after voting for such reduction of its capital stock and division of the shares thereof, may, pursuant to a vote of the stockholders passed at the same or any other legal meeting called for that purpose, authorize the issue of as many new shares of the same par value as the shares so reduced as will raise its capital thus reduced to an amount not exceeding two millions of dollars ; and each stockholder, who was such at the date of said vote for reduction, or his or her assigns, shall, for the time to be limited as hereinafter provided, be entitled to take, on payment therefor, at par, such portion of such new shares as shall bear the same proportion to the whole amount of said new shares so to be issued as the amount of said old shares owned by such stockholder at the date of said vote for reduction bore to the whole amount of said capital before said reduction ; and the directors shall give written or printed notice by mail, directed to each of such old stockholders, of said vote to issue said new stock, stating the whole amount to be issued, the number of shares or fractions of shares of said new stock which each old stockholder is entitled to take as aforesaid, and the times within which said new stock shall be taken,—which time shall not be less than thirty days from the time of giving such notice ; and if after the expiration of said time any shares remain untaken, said directors shall sell the same at auction or private sale for the benefit of the corporation ; but said new shares shall not be distributed or sold at less than their par value, and said corporation shall not be required to issue any certificates for fractions of shares unless the persons entitled to such fractions shall aggregate the same in sums of the same amount as the par value of the shares so reduced.

Act takes effect on its passage.

SECT. 3. This act shall take effect upon its passage.

[Approved July 3, 1873.]

## CHAPTER CXLI.

AN ACT TO REIMBURSE, IN PART, TO THE TOWN OF HOLLIS, THE EXPENSE OF VOLUNTEERS FOR WHOM NO BOUNTY WAS RECEIVED FROM THE STATE.

### SECTION

1. Town reimbursed for volunteers in excess of quota.

### SECTION

2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened :*

Town reimbursed for volunteers in excess of quota.

SECTION 1. There shall be paid to the town of Hollis in the county of Hillsborough, out of any money in the treasury not otherwise appropriated, the sum of five thousand five hundred and forty-

four dollars, in full satisfaction of the amount due to said town for bounties to which said town was entitled under the laws of the state, for twelve volunteers mustered into the service of the United States for said town in June, 1864, in excess of the quota of said town over all calls for troops prior to that of July 18, 1864,—it being the sum of three hundred dollars for each of said twelve volunteers, and interest thereon from June, 1864, the date of their muster into the service of the United States.

SECT. 2. This act shall take effect on its passage.  
[Approved July 3, 1873.]

Act takes effect  
on its passage.

CHAPTER CXLII.

AN ACT IN AMENDMENT OF AN ACT TO INCORPORATE THE MANCHESTER AND  
KEENE RAILROAD.

SECTION

1. Road authorized to increase its shares and capital stock.
2. To issue bonds secured by mortgage.

SECTION

3. Interest—what rate, and when paid.
4. Board of directors increased.
5. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. The Manchester and Keene Railroad may increase its number of shares up to sixteen thousand, and its capital stock to a sum not exceeding in the aggregate of sixteen hundred thousand dollars.

SECT. 2. The said railroad may mortgage their road, or any part thereof, and issue bonds to the amount of not exceeding eight hundred thousand dollars, in denominations and payable at such times as said corporation shall direct: provided, however, that no bonds shall be issued upon any mile of said road until an equal amount from stock subscriptions have first been paid thereon.

SECT. 3. The interest on said bonds shall not exceed seven per cent. per annum, and may be paid at such times as the stockholders of said corporation shall by vote determine, at any meeting legally called for that purpose.

SECT. 4. The said railroad corporation may increase its board of directors from seven to eleven in number.

SECT. 5. This act shall take effect upon its passage.  
[Approved July 3, 1873.]

Act takes effect  
on its passage

## CHAPTER CXLIII.

## AN ACT TO INCORPORATE THE MANCHESTER PRINT WORKS AND MILLS.

## SECTION

1. Corporation constituted: its powers.
2. Location, business, and capital stock.
3. First meeting—how called, etc.

## SECTION

4. Subject to legislative control.
5. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Corporation  
constituted: its  
powers.

SECTION 1. That Moody Currier, Frederick Smyth, Daniel Clark, Waterman Smith, Charles Williams, Asa Fowler, William Mixter, William Reynolds, Samuel R. Payson, their successors, associates, and assigns, be, and they hereby are, made a body politic and corporate by the name of the Manchester Print Works and Mills, and by that name may sue and be sued, prosecute and defend, to final judgment and execution, and shall be, and hereby are, invested with all the powers and privileges, and made subject to all the liabilities, contained in the laws of this state applicable to corporations of a similar nature.

Location, bus-  
iness, and cap-  
ital stock.

SECT. 2. Said corporation is hereby authorized and empowered to establish, manage, and carry on, in the city of Manchester in the county of Hillsborough, the manufacture of cotton and woollen goods and other textile fabrics, and the usual branches of machinery necessary for carrying on the same, and the various branches of the mechanic arts usually connected therewith, and to purchase and erect such mills, buildings, and works as may be necessary and convenient for carrying on and conducting the business of said corporation; and for that purpose may acquire, by purchase or otherwise, hold, enjoy, and convey such real and personal estate as may be necessary or useful in conducting the business of said corporation.

The capital stock of said corporation shall not exceed two millions of dollars, and shall be divided into shares of one hundred dollars each.

First meeting—  
how called, etc.

SECT. 3. The said Moody Currier, Frederick Smyth, and Daniel Clark, or either two of them, may call the first meeting of the corporation, by giving a notice in writing stating the time and place of meeting to each of the grantees named in this act, or leaving the same at his usual place of abode, at least one week before the day of meeting, and by publishing a notice of said meeting in some daily newspaper printed in said Manchester, and in some daily newspaper printed in Boston in the state of Massachusetts, at least one week before the day of meeting, at which meeting, or at any adjournment thereof, a clerk shall be chosen, and by-laws for the regulation and government of said corporation, not inconsistent with the constitution and laws of the state, may be established, which by-laws may be altered or amended at any future meeting of the corporation, and may choose all necessary officers or agents for managing the affairs of the corporation; may agree on the mode of calling future meetings; and may do and transact any business necessary to carry into effect the purposes of said corporation.

SECT. 4. The legislature may at any time alter, amend, or repeal this act, whenever in their opinion the public good requires the same to be done. Subject to legislative control.

SECT. 5. This act shall take effect from and after its passage. Act takes effect on its passage.  
[Approved July 3, 1873.]

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CHAPTER CXLIV.

AN ACT TO AMEND THE CHARTER OF THE DOVER LANDING AQUEDUCT COMPANY.

SECTION	SECTION
1. Corporation may hold real estate.	2. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That the Dover Landing Aqueduct Company be, and the same hereby is, authorized to purchase, hold, and possess real and personal estate, in value to the amount of twelve thousand dollars, for the purpose of carrying into effect the objects of the act by which said company was incorporated. Corporation may hold real estate.

SECT. 2. This act shall take effect upon its passage. Act takes effect on its passage.  
[Approved July 3, 1873.]

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CHAPTER CXLV.

AN ACT TO INCORPORATE THE OCEANIC HOTEL COMPANY.

SECTION	SECTION
1. Corporation constituted: its powers.	5. Affairs—by whom managed; first meeting.
2. Capital stock.	6. Charter subject to alteration.
3. Location and limitation as to real estate.	7. Act takes effect on its passage.
4. Purpose of incorporation.	

*Be it enacted by the Senate and House of Representatives in General Court convened:*

SECTION 1. That John R. Poor, John A. Poor, Charles A. Doe, Daniel E. Poor, and Moses T. Doe, their associates, successors, and assigns, under the name and style of The Oceanic Hotel Company, are hereby made a body corporate and politic, with all the rights, powers, and privileges usually conferred on corporations of a similar nature. Corporation constituted: its powers.

SECT. 2. The capital of said corporation shall be three hundred thousand dollars, with the privilege of increasing it to five hundred thousand dollars, which may be divided into shares of one hundred dollars each. Capital stock.

SECT. 3. Said corporation may acquire and hold real estate in the town of Gosport, at the Isles of Shoals in the county of Rocking- Location and limitation as to real estate.

ham, not exceeding in value the amount of its capital stock, and may improve and occupy the same, or sell and alienate it, at its pleasure.

Purpose of incorporation.

SECT. 4. The capital stock of said corporation shall be employed in the purchase of real estate as aforesaid, and in the erection and maintenance of hotels, cottages, wharves, and other structures; in the laying out of said lands, and grading and improving the same; and in the purchase and employment of sailing vessels and steamboats for the transit of passengers, merchandise, and freight to and from said town of Gosport, and in such other manner as may seem necessary and proper to the establishment of an extensive watering-place for the reception and entertainment of summer guests upon said islands in said township of Gosport.

Affairs—by whom managed; first meeting.

SECT. 5. The affairs of said corporation shall be managed by a board of five directors, to be elected annually. The first meeting of said corporation shall be holden at such time and place, and may be called in such manner, as any three of the above corporators shall designate.

Charter subject to alteration.

SECT. 6. The legislature may alter and amend this act whenever the public good requires the same.

Act takes effect on its passage.

SECT. 7. This act shall take effect from and after its passage. [Approved July 3, 1873.]

## CHAPTER CXLVI.

### AN ACT IN AMENDMENT OF THE CHARTER OF THE CITY OF NASHUA.

#### SECTION

1. Assessors to be inspectors of check-lists, etc.
2. Check-lists—by whom and how prepared: to be used by ward clerks at elections.
3. Correction of check-lists—how, when, and by whom made.
4. Ballots—by whom preserved; special elections.
5. Penalty for procuring name to be illegally put on list.

#### SECTION

6. Penalty for altering lists; omission of name—how rectified.
7. Names of ratable polls; representatives' credentials; ward clerk to certify record of votes cast.
8. Penalty for violation of act.
9. Repealing clause.
10. Act takes effect on its passage.

*Be it enacted by the Senate and House of Representatives in General Court convened:*

Assessors to be inspectors of check-lists, etc.

SECTION 1. The board of assessors, as now chosen and constituted, in and for the city of Nashua, and as chosen annually hereafter, shall be, for the purposes of this act, a board of inspectors of the check-lists in the several wards in said city; and they shall be sworn to the faithful discharge of the duties of their office by the clerk of the board. Said inspectors shall choose a chairman from their own number; and the city councils, in convention, shall appoint a clerk, who shall be *ex officio* a member of the board of inspectors of check-lists, and he shall be sworn to the faithful discharge of the duties of his office by the chairman of the board. The clerk shall keep a record of the proceedings of said board, in a book provided by the



city for that purpose. Said clerk shall hold his office until his successor shall be appointed and qualified.

SECT. 2. Said inspectors shall prepare, revise, correct, and post up, in the manner the selectmen of towns are required to do, an alphabetical list of the legal voters in each ward; and for that purpose shall have access to any books or lists belonging to said city, or to any ward in said city, and shall have the assistance of any of the city or ward officers they may require, and they shall deliver an attested copy of the lists of voters so prepared and corrected to the clerks of the respective wards; and the said ward clerks shall use the lists of voters so prepared and corrected, and no others, at the elections in said wards. In preparing the lists of voters, said inspectors shall record the first or Christian name of each voter in full, but may use initial letters to designate the middle name or names of any voter; they shall also record against the name of each voter the name of street and number of dwelling, if numbered,—if not numbered, then such other description as shall indicate, as nearly as possible, the residence of such voter.

Check-lists—by whom and how prepared; to be used by ward clerks at elections.

SECT. 3. The said board of inspectors shall be in session at the city hall building, or such other place as they shall designate, for the purpose of revising and correcting the lists of voters six days at least within six months next preceding the day of election,—the last two sessions of said inspectors to be held within one week of said election, from nine o'clock A. M. to twelve o'clock M., and from two o'clock to five o'clock P. M., on each of said days; and any person may then and there appear and be heard with regard to his right to have his name put on the check-list and to vote; and said board of inspectors may require the oath of such persons so claiming the right to vote, and corroborating evidence, if not otherwise fully satisfied of his right to have his name placed on the check-list. They may prescribe such regulations, and require the aid of such police, as shall secure order and the right of each person to be heard; and there shall be no abridgment of the elective franchise, or other qualification required than those now prescribed by the laws of this state.

Correction of check-lists—how, when, and by whom made.

SECT. 4. All the ballots cast at each election in the several wards shall be preserved, and after they shall have been counted the moderator shall deliver all the ballots given in to the clerk of the ward; and the clerk of each ward shall seal up said ballots, direct and deliver the same, together with the lists of voters used at such election, within one hour after the adjournment of such meeting, to the board of inspectors, who shall be in session to receive the same, and said board of inspectors shall be in session from eight o'clock to eleven o'clock A. M. on election days: provided, however, that such parts only of sections three and four of this act as the board of inspectors shall deem necessary shall apply to special elections.

Ballots—by whom preserved; special elections.

SECT. 5. Any person procuring his name to be illegally placed on the check-list by a false representation or statement, upon conviction thereof shall be punished by a fine not exceeding fifty dollars, or by imprisonment in the county jail not exceeding sixty days.

Penalty for procuring name to be illegally put on list.

SECT. 6. If the moderator, selectmen, ward clerk, or any other person shall alter any check-lists after the same shall have been delivered by the inspectors to the ward clerk, by adding any name or names thereto, or by erasing any name or names therefrom, or in

Penalty for altering lists; omission of name—how rectified.

any way changing the lists, such officer or person so offending shall be punished by a fine not exceeding five hundred dollars, or imprisonment in the county jail not exceeding six months : provided, however, that in case the name of any person has been omitted from the check-lists, and who the inspectors are satisfied is a legal voter agreeably to the provisions of section five of chapter twenty-eight of the General Statutes, the inspectors shall certify the same to the moderator, who shall receive his vote, and the ward clerk shall check the name of such person so voting on the back of said certificate, and shall return the same to the inspectors with the check-list. The clerks of the several wards shall return the check-lists used at the last March election to the clerk of the board of inspectors as soon as he shall be appointed.

Names of ratable polls; representatives' credentials; ward clerk to certify record of votes cast.

SECT. 7. The board of inspectors shall enter upon the back of the lists of voters used in each ward at the annual meeting for the election of representatives to the general court, within one week after such meeting, the name of every male inhabitant of the age of twenty-one years and upward, who were not legal voters but were actual residents of the ward during the six months next preceding such annual meeting, or have paid a tax in the city for the year preceding such annual meeting as ratable polls; and the certificates of election of representatives to the general court from the several wards shall be made out, certified, and signed by the clerk of the board of inspectors of check-lists, and the clerk of said board shall certify that the check-list of the ward was duly posted and used during the balloting on which such representatives were chosen, the number of ratable polls in such ward, and the number of voters upon the check-list as corrected on the day of such annual meeting. The clerk of each ward shall make out a fair and exact copy of the record of all votes given in at the annual meeting for the election of representatives to the general court, and shall certify upon said copy that the check-list was used during the balloting on which such representatives were chosen, and shall certify upon said copy that the same is a true copy of said record, and shall seal said copy and direct and deliver the same to the clerk of the board of inspectors of the check-lists, with a superscription upon the same expressing the purport thereof, within two days after such meeting.

Penalty for violation of act.

SECT. 8. Any officer or other person neglecting or refusing to comply with the terms of this act, or offending against the provisions hereof where punishment is not already provided by this act, shall, upon conviction thereof, be punished by imprisonment in the county jail not more than six months, or by a fine not exceeding five hundred dollars, to be paid for the use of the county of Hillsborough.

Repealing clause.

SECT. 9. All acts and parts of acts inconsistent with this act are hereby repealed.

Act takes effect on its passage.

SECT. 10. This act shall take effect upon its passage.

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NOTE. Originally approved July 3, 1872; amended and approved July 3, 1873. See chapter 124 *supra*.

## CHAPTER CXLVII.

## JOINT RESOLUTION IN FAVOR OF ALLEN FOLGER.

Appropriation to pay claim.

*Resolved by the Senate and House of Representatives in General Court convened:*

That the sum of two hundred and fifty dollars be allowed Allen Folger for services as commissioner to the International Prison Congress, as provided by chapter sixty-three of the Pamphlet Laws of one thousand eight hundred and seventy-one; that the same be paid out of any money in the treasury not otherwise appropriated, and that the governor be authorized to draw his warrant therefor. Appropriation to pay claim.  
 [Approved June 27, 1873.]

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## CHAPTER CXLVIII.

## A JOINT RESOLUTION IN FAVOR OF EDSON C. EASTMAN, AGENT.

Appropriation to pay claim.

*Resolved by the Senate and House of Representatives in General Court convened:*

That the sum of one hundred and thirty-seven dollars and eighty cents (\$137.80) be allowed Edson C. Eastman in full for his claim, and that the same be paid from the treasury out of any money not otherwise appropriated, and that the governor be authorized to draw his warrant for the same. Appropriation to pay claim.  
 [Approved July 3, 1873.]

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## CHAPTER CXLIX.

## JOINT RESOLUTION IN FAVOR OF THE TOWN OF SALEM.

Appropriation to pay claim for bounty.

*Resolved by the Senate and House of Representatives in General Court convened:*

That the sum of one hundred dollars be paid the town of Salem for one volunteer furnished the United States, and who was not credited said town in the settlement under the law reimbursing towns, passed June session, A. D. 1870; and that the same be paid out of any money not otherwise appropriated, and the governor be authorized to draw his warrant therefor. Appropriation to pay claim for bounty.  
 [Approved July 3, 1873.]

## CHAPTER CL.

## A JOINT RESOLUTION IN FAVOR OF THE REPUBLICAN PRESS ASSOCIATION.

Appropriation to pay claim.

*Resolved by the Senate and House of Representatives in General Court convened:*

Appropriation  
to pay claim.

That the sum of six hundred and sixty-six dollars be allowed the Republican Press Association in full for their claim, and that the governor be authorized to draw his warrant for the same, and pay the same out of any money in the treasury not otherwise appropriated.

[Approved July 3, 1873.]

## CHAPTER CLI.

## JOINT RESOLUTION IN FAVOR OF LEWIS L. MOWER.

Appropriation to pay for extra services.

*Resolved by the Senate and House of Representatives in General Court convened:*

Appropriation  
to pay for extra  
services.

That Lewis L. Mower, janitor of the state house, be allowed the sum of one hundred and fifty dollars (\$150) for extra services, and that the same be paid out of any money in the treasury not otherwise appropriated, and that the governor be authorized to draw his warrant therefor.

[Approved July 3, 1873.]

## CHAPTER CLII.

## JOINT RESOLUTION IN FAVOR OF THE CHAPLAIN.

Appropriation to pay claim.

*Resolved by the Senate and House of Representatives in General Court convened:*

Appropriation  
to pay claim.

That Rev. Charles L. Hubbard, the chaplain of the house, be allowed the sum of one hundred and nine dollars for services as chaplain, and that the same be paid out of any money in the treasury not otherwise appropriated, and that the governor be authorized to issue his warrant therefor.

[Approved July 3, 1873.]

## CHAPTER CLIII.

## JOINT RESOLUTION IN FAVOR OF THE ENGROSSING CLERK.

Appropriation for extra clerk hire.

*Resolved by the Senate and House of Representatives in General Court convened:*

That the sum of one hundred dollars be allowed Charles W. Hoitt, engrossing clerk, for extra clerk hire. Appropriation for extra clerk hire.

[Approved July 3, 1873.]

## CHAPTER CLIV.

## JOINT RESOLUTION IN FAVOR OF B. F. PRESCOTT AND OTHERS.

Appropriation to pay claims.

*Resolved by the Senate and House of Representatives in General Court convened:*

That the sum of sixty-two dollars and twenty-five cents (\$62.25) be allowed B. F. Prescott; that the sum of seventy dollars (\$70) be allowed Robinson & Tilton; that the sum of eleven dollars and fifty cents (\$11.50) be allowed S. D. Robinson; that the sum of three hundred and fifty-seven dollars and fifteen cents (\$357.15) be allowed Morrill & Silsby; that the sum of forty-seven dollars (\$47) be allowed J. H. Benton, Jr.; that the sum of two hundred and eleven dollars and fifty cents (\$211.50) be allowed Charles C. Pearson & Co.; that the sum of seventeen dollars and twenty-five cents (\$17.25) be allowed A. H. Wiggin, in full for their claims, and that the same be paid out of any money in the treasury not otherwise appropriated, and that the governor be authorized to draw his warrant therefor. Appropriation to pay claims.

[Approved July 3, 1873.]

## CHAPTER CLV.

## JOINT RESOLUTION IN FAVOR OF C. H. LONG AND OTHERS.

Appropriation to pay claims.

*Resolved by the Senate and House of Representatives in General Court convened:*

That the sum of one hundred and nineteen dollars and thirty cents (\$119.30) be allowed C. H. Long; that the sum of one hun- Appropriation to pay claims.

dred and six dollars (\$106) be allowed A. B. Farmer ; that the sum of one hundred and eight dollars and fifty cents (\$108.50) be allowed F. G. Moody ; that the sum of one hundred and eighteen dollars (\$118) be allowed F. W. Cheney ; that the sum of one hundred and eight dollars and fifty cents (\$108.50) be allowed Zelotus Stevens ; that the sum of twenty-five dollars and fifty cents (\$25.50) be allowed E. C. Eastman, agent ; that the sum of one hundred and nineteen dollars (\$119) be allowed C. H. Roberts ; that the sum of three hundred and twelve dollars (\$312) be allowed Emma Elliott ; that the sum of sixty-five dollars and fifty cents (\$65.50) be allowed H. P. Crowell ; that the sum of sixty dollars (\$60) be allowed Sumner Keyes ; that the sum of two hundred and eleven dollars and fifty cents (\$211.50) be allowed E. C. & G. G. Bailey ; that the sum of eight dollars (\$8) be allowed John B. Clarke, in full for their claims, and that the same be paid out of any money in the treasury not otherwise appropriated, and that the governor be authorized to draw his warrant therefor.

[Approved July 3, 1873.]

OPINION  
OF THE  
SUPREME JUDICIAL COURT  
UPON THE QUESTION

“Whether chapter 33 of the pamphlet laws of 1872, entitled ‘An act in amendment of chapter 49, section 2, of the General Statutes, relating to persons and property liable to taxation,’ is a law of the state.”





## OPINION OF THE COURT.

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To His Excellency EZEKIEL A. STRAW, Governor of New Hampshire,  
and the Honorable Council:

The undersigned, justices of the supreme judicial court, have considered the question raised by the joint resolution of the legislature, as stated in your communication of August 9, 1873.

That question is, "Whether chapter 33 of the pamphlet laws of 1872, entitled 'An act in amendment of chapter 49, section 2, of the General Statutes, relating to persons and property liable to taxation,' is a law of the state." And it is represented that said chapter 33 of said pamphlet laws never passed both branches of the legislature, as was required by the constitution of this state. By said act, parsonages were exempted from taxation.

A similar question arose in this state in 1858, in relation to an act entitled "An act in amendment of an act prescribing the duties of cashiers of banks," in which case an opinion of this court was given, which was published in the 35th vol. N. H. Reports 579, in which it was held that when an act is found lodged in the office of the secretary of state, with other public acts passed at the same session, signed by the speaker of the house of representatives and the president of the senate, and approved and signed by the governor, and published by authority as one of the public statutes, that constitutes *prima facie* evidence that said act received the assent of the two branches of the legislature and the approval of the governor, in the manner required by the constitution to make it a valid statute of this state.

But that the journals of each branch of the legislature are to be considered and treated as authentic records of the proceedings, and that they may be resorted to in such cases to ascertain whether the two houses in fact concurred in the passage of any specified act; and that, if it appears by the journals that they did not thus concur, the *prima facie* evidence derived from an examination of the act itself will be overcome, and the act will be held to be invalid, and of no effect as a law.

The act here in question has all the requirements necessary to make it *prima facie* a valid public statute. Let us examine the records in the case, as found in the journals of the two houses of our legislature, and see if, in fact, it did receive the necessary assent of both branches of that body.

The journal of the senate for June session, 1872, shows, on pages 27 and 28, that on the 19th of June notice was given of an intention to introduce the bill in question; and on page 31, that on the 20th of June it was accordingly introduced, read twice, and referred to the committee on the judiciary; and on page 44, that on the 25th of June it was reported from said committee without amendment, and ordered to a third reading; and on page 51, that on the 26th of June it was read a third time and passed; and on page 70, that on the 28th of June it was reported to the senate as correctly engrossed. We have also examined the bill itself on file in the office of the secretary of state, and find entries upon the back of said bill corresponding with the above entries in the journal of the senate, and, in addition, a memorandum that the bill was engrossed June 27th, 1872. But there is no entry or memorandum on said bill tending to show that it was ever sent to or acted upon by the house of representatives.

An examination of the journal of the house of representatives shows, on page 49, that on June 12th notice was given of a bill "in amendment of chapter 49 of the General Statutes relating to persons and property liable to taxation;" and on page 55, that on June 13th said bill was introduced, read twice, and referred to the committee on finance; and on pages 171 and 172, that on June 27th the bill was reported back to the house, with a resolution that it was inexpedient to legislate upon the subject, which resolution was adopted. Upon examining the original bill on file, we find that said bill related to the taxation of money at interest alone, and had no reference to parsonages or church property.

The journal also shows, on page 99, that notice was given of the introduction of a bill "to exempt parsonages and church property from taxation;" also, on page 133, notice of a bill entitled "An act exempting parsonage houses from taxation." But there is no record in said journal that either of said bills was ever introduced, or read, or referred to any committee. But it appears, on page 158, that on June 26th a bill entitled "An act to exempt parsonages and church property from taxation" was reported from the committee on finance in a new draft, which was read a first time, and ordered to a second reading; and on page 161, that on the same day the bill entitled "An act to exempt parsonages from taxation" was read a second time, and ordered to a third reading, when it was laid upon the table; and on page 262, that on July 3d this bill was taken from the table and indefinitely postponed. It also appears, on page 189, that on June 28th the joint committee on engrossed bills reported to the house (as they did to the senate) that "An act in amendment of chapter 49, section 2, of the General Statutes," was found to be correctly engrossed; and, also, on page 207, that a message was received in the house from the senate announcing that the senate concurred with the house of representatives in the passage (among others) of "An act in amendment of chapter 49, section 2, of the General Statutes, relating to persons and property liable to taxation."

The above are all the entries that we find in the journals of either house relating to chapter 49, section 2, of the General Statutes, or in relation to the taxation of parsonages or church property.

From all the evidence thus before us, it appears that the bill in

question, after its passage in the senate, June 26th, was sent directly to the engrossing clerk; was by him engrossed June 27th, and was reported to both branches by the joint committee on engrossed bills on June 28th, as correctly engrossed, but that the bill was never sent to the house of representatives for their concurrence, and that said house never took any action whatever upon said bill.

We find, therefore, that said bill was not enacted in the form prescribed by the constitution, and did not become a valid statute of the state.

Our opinion is, that the act entitled "An act in amendment of chapter 49, section 2, of the General Statutes, relating to persons and property liable to taxation," purporting to have been passed at the session of the legislature of this state, held in June, 1872, is not legally valid and binding as a law of the state.

J. EVERETT SARGENT,  
WM. L. FOSTER,  
E. A. HIBBARD,  
C. DOE,  
W. S. LADD,  
JEREMIAH SMITH.

August 20, 1873.

## STATE OF NEW HAMPSHIRE.

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SECRETARY OF STATE'S OFFICE,

CONCORD, SEPTEMBER 19, 1873.

I hereby certify that the acts and resolves contained in this pamphlet have been compared with the originals in this office, and found to be correctly printed.

B. F. PRESCOTT,

*Secretary of State.*

# INDEX

TO

## PUBLIC ACTS AND RESOLUTIONS,

PASSED JUNE SESSION, 1873.

	PAGE
Accounts of sheriffs . . . . .	161
Adoption of children . . . . .	145
Appropriation for deaf, dumb, and blind . . . . .	181
for American Asylum at Hartford . . . . .	180
for Historical Society . . . . .	183
for House of Reformation . . . . .	186
for New Hampshire Medical School . . . . .	182
for Normal School . . . . .	188
for Perkins Institute at Boston . . . . .	180
for Prison library . . . . .	185
for Prisoners' Aid Society . . . . .	181
for reframing portrait of Washington . . . . .	179
for roads . . . . .	183, 184, 185
for State library . . . . .	183
Assignment of wages . . . . .	147
Badger, Joseph, thanks to . . . . .	178
Bank, Savings, Exeter . . . . .	177
Bark, taxation of . . . . .	162
Bartlett, Josiah, thanks to . . . . .	178
Belknap county, probate court in . . . . .	162
Bell, Charles H., thanks to . . . . .	178
Bethlehem, certain territory in Grafton county annexed to . . . . .	150
Birds, eggs and young of, protected . . . . .	151
Blind, deaf, and dumb . . . . .	181
Bonds and coupons, destruction of . . . . .	168
Boundary, state, eastern survey of, authorized . . . . .	179
Carroll county, salary of register of probate, &c. . . . .	174
Cemeteries and parks, public . . . . .	176
Centennial celebration at Philadelphia . . . . .	187
Center Harbor, part of Meredith annexed to . . . . .	164
Chaplain of state prison, salary of . . . . .	180

Children, adoption of . . . . .	145
Cilley, Bradbury Poor, thanks to . . . . .	178
Joseph, thanks to . . . . .	178
Clarksville, tax of 1871 may be legalized, how . . . . .	153
Clerk hire in treasury department . . . . .	180
Committee rooms, plans and estimates for . . . . .	182
Commercial fertilizers, sale of, regulated . . . . .	157
Contingent expenses . . . . .	180
Coroners' inquests, when holden, &c. . . . .	173
Corporations, writs served on, how . . . . .	152
Council districts reorganized . . . . .	158
Coupons and bonds, state, destruction of . . . . .	168
Court, supreme judicial, act to facilitate decisions in . . . . .	155
opinion of . . . . .	253
Criminal cases, recognizance in . . . . .	163
Deaf, dumb, and blind . . . . .	181
Debt, floating, treasurer to issue bonds for . . . . .	152
Deer, time of killing changed . . . . .	144
Deposits in savings banks, taxation of . . . . .	144
Dinsmoor, William, thanks to . . . . .	178
Distribution of state publications . . . . .	175
Dixville, appropriation for repair of road in . . . . .	183
Eggs and young of certain birds protected . . . . .	151
Elwyn, Alfred Langdon, thanks to . . . . .	178
Exeter Savings Bank, resolution in favor of . . . . .	177
Expenses, contingent . . . . .	180
Fence-viewers, fees of . . . . .	143
Fertilizers, sale of, regulated . . . . .	157
Fishways on Winnipiseogee river . . . . .	166
Franconia Notch road, appropriation for . . . . .	184
Geological specimens, arrangement of . . . . .	185
Geologist, state, final report of, distribution, &c. . . . .	172
Grafton county, certain portion of, annexed to Bethlehem . . . . .	150
probate court in . . . . .	154, 175
Greenville, boundary line established . . . . .	161
Hale's Location, proportion of public tax to . . . . .	167
Historical Society, appropriation for . . . . .	183
Honor, roll of . . . . .	187
Inquests, when holden by justices of the peace . . . . .	173
Judge of probate, Merrimack county, salary of . . . . .	157
Justices of the peace and quorum to hold inquests, when . . . . .	173
Keene police court, jurisdiction of, &c. . . . .	148
Leaf tobacco, how attached . . . . .	146
Liquors, spirituous, law regulating sale of, amended . . . . .	176
Loan, temporary, treasurer to issue bonds for . . . . .	152
Logs, taxation of . . . . .	162
Lumber, taxation of . . . . .	162
Lyndeborough, portion of, annexed to Milford . . . . .	150
Martin, Noah, Mrs., thanks to . . . . .	178
Mason, boundary line of, established . . . . .	161
Medical School, appropriation for . . . . .	182
Members of congress, salaries of, &c. . . . .	186
Meredith, portion of, annexed to Center Harbor . . . . .	164
Merrimack county, probate court . . . . .	145

Milford, part of Lyndeborough annexed to . . . . .	150
Milk-cans, capacity of, fixed . . . . .	149
Minors, &c., counsel for, how paid . . . . .	173
Municipal war loan increased, and balance of bonds destroyed . . . . .	168
Names changed by judges of probate . . . . .	189
Normal School, State, appropriation for . . . . .	188
Offices, public, hours for opening and closing, regulated . . . . .	174
Opinion of supreme judicial court . . . . .	253
Page, John A., thanks to . . . . .	178
Parks and cemeteries, public . . . . .	176
Paupers, certain, where supported . . . . .	171
Petroleum, sale, &c., of, regulated . . . . .	169
Pierce, Frank H., thanks to . . . . .	178
Pigeons, act protecting, repealed . . . . .	164
Pinkham Notch road . . . . .	183
Plumer, William L. and Nathaniel G., thanks to . . . . .	178
Police court of Keene, jurisdiction of, extended . . . . .	148
Prescott, B. F., thanks to . . . . .	188
Prisoners' Aid Society, appropriation for . . . . .	181
Probate court in Merrimack county . . . . .	145
in Grafton county . . . . .	151, 175
in Belknap county . . . . .	162
Public offices, time of opening and closing, regulated . . . . .	174
Public printing, act in relation to . . . . .	149
Publications, state, distribution of, &c. . . . .	175
Railroad trains, government of, &c. . . . .	166
Recognizance in criminal cases . . . . .	163
Recruits to receive reimbursement fund, when . . . . .	146
Reform School, appropriation for . . . . .	186
Register of probate, Carroll county, salary of . . . . .	174
Merrimack county, salary of . . . . .	157
Reimbursement fund apportioned to towns, how . . . . .	147
Replevin, action of, may be maintained, when . . . . .	154
in relation to suits of, duty of officer, &c. . . . .	156
Report, final, of state geologist . . . . .	172
Roll of honor . . . . .	187
Salaries of members of congress, resolution denouncing . . . . .	186
Salary of judge of probate for Merrimack county . . . . .	157
register of probate for Carroll county . . . . .	174
register of probate for Merrimack county . . . . .	157
warden of state prison . . . . .	167
Savings Bank, Exeter, resolution in favor of . . . . .	177
banks, deposits in, where taxed . . . . .	144
duties and powers of trustees of . . . . .	163
payment of tax of . . . . .	160
Secretary of state to arrange minerals, &c. . . . .	185
to distribute state publications . . . . .	175
Senatorial districts reorganized . . . . .	159
Sewerage, land taken for, &c. . . . .	160
Sheriffs, accounts of . . . . .	161
Smith, Jeremiah, thanks to . . . . .	178
Spirituous liquors, law regulating sale of, amended . . . . .	176
Stark, Charlotte, thanks to . . . . .	178
State house, improvement of . . . . .	182
new committee rooms in . . . . .	182
State geologist, final report of, distribution, &c. . . . .	172
library, appropriation for . . . . .	183
prison, library of . . . . .	185
publications, how distributed . . . . .	175
Stenographer may be employed in court, when . . . . .	151

Sullivan, John, thanks to . . . . .	178
Supreme judicial court, opinion of . . . . .	253
Surveyor of eastern boundary of state, appointment of, authorized . . . . .	179
Sutton, apportionment of public tax of 1872 corrected . . . . .	167
 Taxation of wood, bark, logs, and lumber . . . . .	162
Tax, savings banks, penalty for not paying . . . . .	160
state, provided for . . . . .	155
Thanks to Alfred Langdon Elwyn . . . . .	178
John Sullivan . . . . .	178
Jeremiah Smith . . . . .	178
William L. and Nathaniel G. Plumer . . . . .	178
Frank H. Pierce . . . . .	178
Charles H. Bell . . . . .	178
William Dinsmoor . . . . .	178
Joseph Badger . . . . .	178
John A. Page . . . . .	178
Mrs. Noah Martin . . . . .	178
Charlotte Stark . . . . .	178
Joseph Cilley . . . . .	178
Bradbury Poor Cilley . . . . .	178
Josiah Bartlett . . . . .	178
B. F. Prescott . . . . .	188
Thornton, James S., thanks to . . . . .	178
Tobacco, leaf, how attached . . . . .	146
Treasury department, clerk hire in . . . . .	180
Trustees of savings banks, duties and powers of . . . . .	163
 Wages, assignment of . . . . .	147
Washington, portrait of . . . . .	179
Warden of state prison, salary of . . . . .	167
Winnipiseogee river, fishways on . . . . .	166
Wood, taxation of . . . . .	162
Writs, service of, on corporations, manner, &c. . . . .	152



# INDEX

TO

## PRIVATE ACTS AND RESOLUTIONS,

PASSED JUNE SESSION, 1873.

	PAGE
Association, Bar, of New Hampshire . . . . .	220, 221
Bailey Mills, name changed . . . . .	196
Bailey, E. C. and G. G. . . . .	250
Bar Association of New Hampshire . . . . .	220, 221
Benevolent Society, St. Patrick's . . . . .	227
Benton, J. H., Jr. . . . .	249
Bridge over Little Harbor river, act amended . . . . .	226
Camp Meeting, Hedding, charter amended . . . . .	228
Church, First Baptist, in Milford, admission of members regulated . . . . .	228
City of Keene, act to establish . . . . .	231, 232, 233
Cheney, F. W. . . . .	250
Chichester, authorized to raise fund for high school . . . . .	233
Clarke, John B. . . . .	250
Colebrook, school districts in . . . . .	213
Columbia, school districts in . . . . .	213
Concord, city of, sewerage in . . . . .	200, 201
Conway Land and Lumber Company . . . . .	226, 227
Crowell, H. P. . . . .	250
Davis, George W. . . . .	203
Derry and Lebanon, additional sums for reimbursement authorized . . . . .	230
Districts, school, in Weare, act amended . . . . .	238
Dover Landing Aqueduct Company, charter amended . . . . .	243
Eastman, Edson C. . . . .	247, 250
Elliott, Emma . . . . .	250
Emerson, Benjamin D., establishes Hampstead High School . . . . .	191
Engrossing clerk . . . . .	249
Epping Savings Bank . . . . .	197, 198

Farmer, A. B. . . . .	250
Fire district in Pittsfield, act amended . . . . .	208
Fire precinct of Lebanon Centre, act to ratify doings . . . . .	214
Fitzwilliam, school district in . . . . .	203
Folger, Allen . . . . .	247
Forest Mills Company . . . . .	199, 200
Free Masons, Mount Washington Lodge of . . . . .	206, 207
Gas Company, Portsmouth, authorized to extend wharf . . . . .	225
Gymnastical and Turnverein School at Manchester . . . . .	198
Hampstead High School, trustees of . . . . .	191, 192
Harrisville, taxes of 1871 legalized . . . . .	229
Hayes, Charles C. . . . .	199
Hedding Camp Meeting Association, charter amended . . . . .	228
High school in Chichester . . . . .	233
Hillsborough Mills . . . . .	195, 196
Hoitt, Charles W. . . . .	249
Hollis, additional reimbursement to . . . . .	240, 241
Hotel Company, Oceanic . . . . .	243, 244
Howard Benevolent Society at Portsmouth, act amended . . . . .	192
Hubbard, Charles L., chaplain . . . . .	248
Jaffrey, town of, school districts in . . . . .	205
Kearsarge Savings Bank, charter revived . . . . .	234
Keene, city of, act to establish . . . . .	231, 232, 233
Water-works, better protection of . . . . .	237
Keyes, Sumner . . . . .	250
Kiarsarge Summit Road Company, charter revived . . . . .	222
Laconia Manufacturing Company . . . . .	193, 194
Ladies' Humane Society of Portsmouth . . . . .	204, 205
Lebanon and Derry, a further reimbursement authorized . . . . .	230
Centre village fire precinct, act to ratify doings . . . . .	214
Long, C. H., and others . . . . .	249
Manchester Turnverein and Gymnastical School . . . . .	198
charter of, amended . . . . .	214
Print Works, charter amended . . . . .	239, 240
& Keene Railroad, act amended . . . . .	241
Print Works and Mills incorporated . . . . .	242, 243
Manufacturing Company, Laconia . . . . .	193, 194
Marginal Railroad in Portsmouth, incorporated . . . . .	236, 237
McGaw Normal Institute . . . . .	212, 213
Mechanics Hall Association of New London . . . . .	209
Merrimack Normal Institute, name changed . . . . .	212, 213
Milford, First Baptist Church in, admission of members regulated . . . . .	228
Moody, F. G. . . . .	250
Morrill & Silsby . . . . .	249
Moses, Charles E., and others . . . . .	213
Mount Washington Lodge of Free Masons . . . . .	206, 207
Hotel Company to fund debt . . . . .	221
Mower, Lewis L. . . . .	248
Nashua, Acton & Boston Railroad, act in aid of . . . . .	194, 195
& Rochester Railroad authorized to issue bonds . . . . .	239
charter of, amended . . . . .	234, 235, 244, 245, 246
city of, to construct water-works . . . . .	210, 211, 212
Nottingham, school district in . . . . .	203
Oceanic Hotel Company . . . . .	243, 244
Pearson, Charles C. & Co. . . . .	249

People's Savings Bank . . . . .	223, 224
Pittsfield Aqueduct Company, act amended . . . . .	205
fire district in, act amended . . . . .	208
Polls in Portsmouth, time fixed for closing . . . . .	238
Portsmouth & Dover Railroad may erect wharves . . . . .	219
Gas Company authorized to extend wharf . . . . .	225
Great Falls & Conway Railroad, act relating to . . . . .	206
Howard Benevolent Society of, act amended . . . . .	192
schools in, act relating to . . . . .	225
time of closing polls in, fixed . . . . .	238
Prescott, B. F., and others . . . . .	249
Print Works and Mills, Manchester, incorporated . . . . .	242, 243
Manchester, charter amended . . . . .	239, 240
Railroad, Dover & Portsmouth . . . . .	206, 219
Manchester & Keene . . . . .	241
Marginal . . . . .	236, 237
Nashua, Acton & Boston . . . . .	194, 195
Nashua & Rochester . . . . .	239
Portsmouth, Great Falls & Conway . . . . .	206
Windsor & Forest Line, act amended . . . . .	230
Reed, Daniel H. . . . .	203
Republican Press Association . . . . .	248
Road Company, Wilnot and Kearsarge . . . . .	216, 217, 218
Kearsarge Summit, charter revived . . . . .	222
Roberts, C. H. . . . .	250
Robinson & Tilton . . . . .	249
Robinson, S. D. . . . .	249
Rochester Gas-Light Company . . . . .	207, 208
Rollinsford may pay bounty to certain volunteers . . . . .	229
school district in, . . . . .	199
Saco and Swift River Turnpike Company . . . . .	222, 223
Salem, town of . . . . .	247
Sandy Lake Water Company . . . . .	203, 204
Savings Bank, Epping . . . . .	197, 198
Kearsarge . . . . .	234
People's . . . . .	223, 224
Squamscott . . . . .	201, 202
Sawyer Woollen Mills . . . . .	215, 216
Schools in Portsmouth, act relating to . . . . .	225
Sewerage in city of Concord . . . . .	200, 201
Society, Ladies' Humane, of Portsmouth . . . . .	204, 205
Somersworth, doings of school in, legalized . . . . .	215
Squamscott Savings Bank . . . . .	201, 202
Stevens, Zelotes . . . . .	250
St. Paul's School, act of incorporation amended . . . . .	215
St. Patrick's Benevolent Society in Concord . . . . .	227
Taxes in Harrisville, 1871, legalized . . . . .	229
Trustees of Hampstead High School . . . . .	191, 192
Turnpike Company, Saco and Swift River . . . . .	222, 223
Water Company, Sandy Lake . . . . .	203, 204
Water-works, city of Nashua may construct . . . . .	210, 211, 212
Water-works, Keene, better protection of . . . . .	237
Weare, school districts in . . . . .	238
Wiggin, A. H. . . . .	249
Wilnot and Kearsarge Road Company . . . . .	216, 217, 218
Wilton Company, act to incorporate . . . . .	219, 220
Windsor & Forest Line Railroad, act amended . . . . .	230
Winnepesaukee Mills, Bailey Mills changed to . . . . .	195





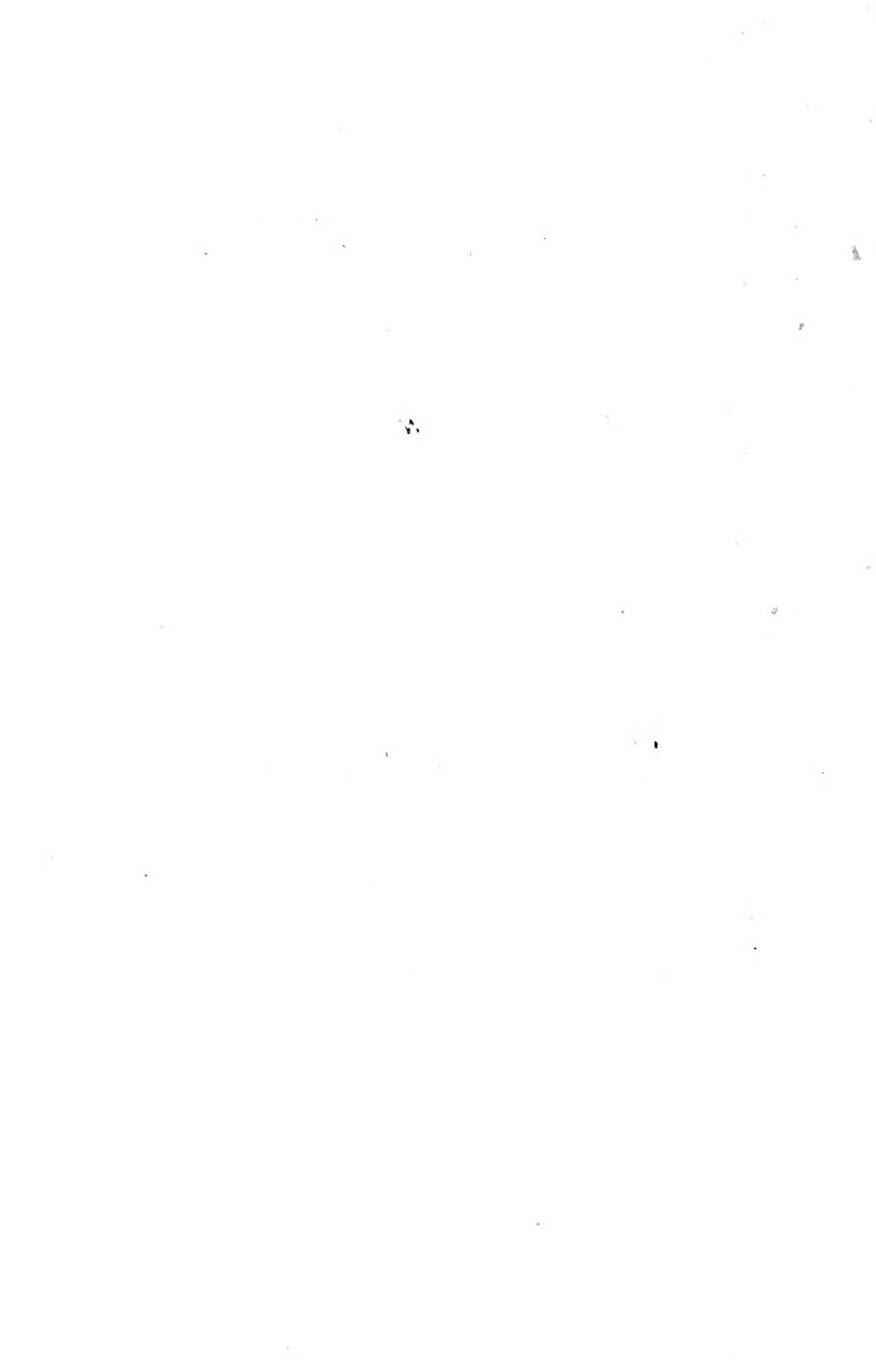












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